













# **A P P E N D I X E S**

TO THE

## **THIRD REPORT**

FROM THE

**SELECT COMMITTEE OF THE HOUSE OF COMMONS,**

AND

## **MINUTES OF EVIDENCE**

ON THE

**AFFAIRS OF THE EAST-INDIA COMPANY.**

17th FEBRUARY to 6th OCTOBER 1831.

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L O N D O N :

PRINTED BY ORDER OF THE HONOURABLE COURT OF DIRECTORS,  
BY J. L. COX AND SON, GREAT QUEEN STREET.

1832.

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354.64  
L. 37.7

38728

Sl.No. 039749

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# **FIRST APPENDIX**

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**AFFAIRS OF THE EAST-INDIA COMPANY.**

**17th FEBRUARY to 6th OCTOBER 1831.**







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**I.**

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**R E V E N U E.**

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# 10 FIRST APPENDIX TO THE THIRD REPORT OF THE

I.  
REVENUE  
ACCOUNTS.

No. 1.

Appendix—

ESTIMATE of the REVENUES and CHARGES of India, under the several Heads,  
of the Company's present Term; with a Statement of the

REVENUES:					
	BENGAL.	MADRAS.	BOMBAY.	PENANG, MALACCA, & SINGAPORE.	TOTAL.
	£.	£.	£.	£.	£.
Mints .. ..	431,250	80,895	53,930	—	566,075
Post-Office ..					
Stamps .. ..					
Judicial .. ..					
Land Revenue ..	6,785,000	3,127,931	1,501,047	39,639	11,453,617
Customs .. ..	697,910	458,403	334,365	—	1,490,678
Ceded Territory (in- cluding the Bur- mese Cessions) ..	479,167	—	—	—	479,167
Salt .. ..	1,820,832	314,590	16,705	—	2,152,127
Opium .. ..	1,427,917	—	—	—	1,427,917
Marine .. ..	29,709	5,877	15,280	—	50,866
Subsidies .. ..	—	308,579	—	—	308,579
Bank Profits ..	—	7,191	—	—	7,191
£.	11,671,785	4,303,466	1,921,327	39,639	
TOTAL ESTIMATED REVENUES IN INDIA ..					£ 17,936,217

The grounds on which the preceeding Estimate is framed are fully detailed in the pro-  
spective Estimate laid before the Select Committee of the House of Commons in March last.

The Rate of Exchange observed in this Account is 1s. 11d. the Sicca rupee.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 11

I.  
REVENUE  
ACCOUNTS.

—No. 1.

No. 1.

whether payable in India or in England, as they will probably stand at the expiration grounds upon which such Estimate is in each case formed.

CHARGES.					
	BENGAL.	MADRAS.	BOMBAY.	PENANG, MALACCA, & SINGAPORE.	TOTAL.
	£.	£.	£.	£.	£.
Civil Charges (including Provincial Battalions, &c.) ..	687,846	246,442	406,440	93,798	1,434,526
Mints ..	..	..	..	..	..
Post-Office ..	145,592	45,876	32,268	—	223,736
Stamps ..	..	..	..	..	..
Judicial ..	855,906	281,135	213,226	—	1,350,267
Land Revenue ..	1,331,145	839,428	486,620	—	2,657,193
Customs ..	..	..	..	..	..
Ceded Territory (including Burmese Cessions) ..	103,500	—	—	—	103,500
Salt ..	730,360	64,901	—	—	795,261
Opium ..	560,587	—	—	—	560,587
Marine ..	72,525	14,120	145,885	—	232,530
Buildings, &c. ..	327,922	62,170	99,701	—	489,793
Military ..	3,258,536	2,249,012	1,274,719	14,583	6,796,850
Amount, which it is estimated will be annually set apart to meet the Claims upon the Tanjore Revenues ..	—	57,500	—	—	57,500
£.	8,073,919	3,860,584	2,658,859	108,381	14,701,743
Interest on Debts ..	1,967,066	177,086	18,054	—	2,162,206
£.	10,040,985	4,037,670	2,676,913	108,381	
TOTAL ESTIMATED CHARGES in INDIA (carried forward) ..					£. 16,863,949

(continued on next page.)

12 FIRST APPENDIX TO THE THIRD REPORT OF THE

I.  
REVENUE  
ACCOUNTS.

No. 1.

Appendix, No. 1—*continued*.

Account from preceding page—*continued*.

Total Estimated Charges in India (brought forward)	..	£ 16,863,949
Expense of St. HELENA	.. ..	90,054
POLITICAL CHARGES incurred in ENGLAND, including		
Invoice Amount of Stores consigned to India	.. ..	1,720,405
Cost of remitting Funds from India to meet the Territorial <i>Advances</i> in England, being the difference between 1s. 11d. per Sicca rupee, the rate which it is here supposed the Remittances would realize, and the average rate at which the <i>Advances</i> in England are made	.. .. .	89,109
(N.B.—These advances are estimated at £1,000,000 per annum, and are <i>exclusive</i> of the Political Charges defrayed in England.)		
GRAND TOTAL of CHARGES	.. ..	18,763,517
Deduct REVENUES	.. ..	17,936,217
ESTIMATED EXCESS of CHARGE	.. ..	£827,300

The following are the proportions of the above Charges, which may be payable in England, *viz.*

	£.	£.
Interest on debts, part of the £2,162,206 stated under that head	..	875,000
Expense of St. Helena	.. ..	90,054
Political charges incurred in England	.. ..	1,720,405
		<u>2,685,459</u>

East-India House,  
22d July 1831.

(Errors excepted)

JAMES C. MELVILL,  
Aud. Indian Accts.

# LIST.

## *Accounts and Papers.*

### (I)—REVENUE :

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2.	—An Estimate of the Account (alluded to by Mr. Melvill, in his Examination before the East-India Committee, 7th June 1830, in answer to Question No. 5671) between the Territorial and Commercial Branches of the East-India Company, framed upon the principles of Separation now observed and laid down in a Plan agreed upon between the Board of Control and the Court of Directors, and presented to Parliament in 1816; ( <i>i. e.</i> for the period prior to 1st May 1811) .. .. .	13
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7.	—(C.)—A similar Account (with the Account B.) of the Loss of £585,940 on the Trade between Europe and India .. .. .	38

# 14 FIRST APPENDIX TO THE THIRD REPORT OF THE

## I. REVENUE ACCOUNTS.

No. 2.

An Estimate\* is annexed of the Balance of Supplies between India and England from 1780 to 1793, from which it appears, that in that period India returned to England short of the funds sent thither, and of the amount of payments made at home on account of the territory (calculated as nearly as can be done according to the plan of accounts agreed upon in 1814) the sum of £6,829,557, this result being also exclusive of a charge for interest.

An Estimate,† upon a similar principle, continued from 1793 to 1st May 1814, and principally drawn from Statements exhibited to Committees of both Houses of Parliament in 1813, shows a further short return from India (being as in the two previous instances exclusive of interest) of £1,599,377.

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Amount previous to 1780 brought down	£3,616,113 18s. 2½d., say	.. ..	3,616,000
Ditto from 1780 to 1793	.. ..	.. ..	6,829,557
Ditto from 1793 to 1st May 1814	.. ..	.. ..	1,599,377
<hr/>			
Total Sum in which Commerce was in advance on account of the Territory (exclusive of Interest) on 1st May 1814			} 12,044,934

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The Interest on the Home Bond Debt defrayed by the Company subsequent to the termination of the wars by which the Territories were acquired, up to the year 1780‡ amounted, as before stated, to .. .. 1,185,810

As the Amount in which Commerce has been in advance on account of the territory since 1780 has constantly exceeded the capital of the Bond Debt, the charge incurred on account of this debt since that time must be considered as referable to the causes alleged by the Committee of 1783, in respect of the Bond Debt then existing.

Amount paid on this account from 1780 to 1793	.. ..	1,127,145
Ditto .. ditto 1793 to 1814	.. ..	3,111,941

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Charge for Interest on the Bond Debt actually incurred by the Company in consequence of the Expenditure for Territorial purposes prior to the 1st May 1814, forming an addition to the sum of £12,044,934 as above stated, of	.. ..	} 5,424,896
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\* (A.) See page 20.

† (B.) See page 22.

‡ (C.) See page 26.

East-India House,  
24th August 1831.

(Errors excepted)

THOS. S. CABELL.  
Dep. Acct. Gen.

Appendix, No. 2.—*continued.*

(No. 1.)—STATEMENT to show the EXPENSES of the WARS and HOSTILITIES in India, sustained out of the Company's Trading Stock, previous to the obtaining the Grants of the Dewannee of Bengal, Bahar, and Orissa, and the five Northern Circars, in the Year 1765.—(*Referred to in p. 13.*)

A STATEMENT of the Cost of the Goods and Stores exported from England; of the Military Charges, &c. paid at home; of the Bills of Exchange drawn on the Directors from abroad; and of the Profits arising on the Sale of Europe Goods and Stores in India and China, from 1730 to 1745, contrasted with the Invoice Cost of the returning Cargoes for the corresponding Years, in order to show what the Returns fell short of the above Sums disbursed from hence, at a period prior to any of those disputes or disturbances in India with the Native Princes, and when the East-India Company's concerns in India were confined solely to Commerce.

		£.
From Sept. 1730 to Sept. 1745.	To the Cost in England of the goods, stores and bullion exported to India and China, the amount paid for Bills of Exchange drawn on the Directors, and the charges paid for raising recruits, &c. in the course of the fifteen years, together with the profit (amounting to about £350,000) arising from the sale of Europe goods and stores abroad ..	13,152,968
From March 1733 to March 1747.	By the Amount of Investments imported into England from India and China in the fifteen years, reckoning from the arrivals in 1732 down to those that came home in 1746; these accounting to the invoices, came to ..	11,334,528
	By Balance, being the amount which India and China returned to England short of the sums furnished and disbursed by England for the support of the several settlements, including the profits on the Outward Trade, amounting to ..	1,818,440
		£ 13,152,968

*Note.*—The £1,818,440, the balance above, shows the amount expended in the space of fifteen years for the maintenance of the Company's Settlements in India more than the revenues collected in the several Presidencies produced during that term, equal, on the general average, to £121,229 a year.

(continued on next page.)

I.  
REVENUE  
ACCOUNTS.  
No. 2.

## Appendix, No. 2—continued.

(No. 1.) continued—A STATEMENT made out to show the Sums expended in India from the Treasury in England, and from the Profits arising from the Outward Trade, in the space of fifteen Years, from 1751 to 1766, to support the Wars carried on in India against the Native Princes, by comparing the demands for those fifteen Years' Warfare with the Sums expended in the space of the above fifteen Years, when the Company's transactions were merely Commercial.

£.		£.	
From	To the Cost in England of the goods	From	By the Amount returned to England
Sept. 1749	and bullion sent to India and China,	March 1751	from India and China, in goods, in the
	the amount paid for Bills of Exchange	to	space of fifteen years, reckoning from
to	drawn on the Directors, and the	March 1766	the cargoes which arrived in 1765
Sept. 1764	expenses incurred for raising and		inclusive, the several Investments were
	transporting troops, and some other		invoiced at .. .. £ 12,043,745
	disbursements not relating to Com-		Add to this, the sums
	merce; these several articles, inclu-		paid in different years by
	ding the profit, amounting to about		Government in lieu of
	£1,500,000, arising from the sale of		forces withdrawn from
	Europe goods and stores abroad, came		India .. .. 119,209
	to, in fifteen years .. .. 19,051,071		By Balance, being the amount which
			India and China returned to England
			short of the sums furnished and dis-
			bursed by England for the support of
			the several settlements, including the
			profit arising from the sale of Europe
			goods and stores abroad, came to, for
			the fifteen years .. .. 6,888,124
			<u>£ 19,051,071</u>

The Average Amount of the Expenses incurred in the fifteen Years more than the amount of the Revenues, and taken from the Treasury in England, and from the Profits of the Outward Trade, came to £459,000 for each year, equal, for the fifteen years, to .. .. £ 6,888,124

From whence, deducting £121,229, for each year, being the Average Amount of the Commercial drain on England, and its Outward Trade, which, for the fifteen Years, came to .. .. 1,818,440

The Amount expended to carry on the Wars against the Native Princes, and from the success of which Wars the territorial acquisitions were acquired; and that sum having been evidently supplied from the Credit of the Trade, ought surely to have been reimbursed to the Proprietors before any claim of participation had been admitted on the part of the State.

East-India House,  
16th May 1783.  
(Errors excepted)  
(Signed)

SAMUEL NICOLL,  
Acct. East-India House,  
24th August 1831.

A true Copy:

THOS. S. CABELL,  
Deputy Acct. Gen.

Appendix, No. 2—*continued.*

(No. 2.)—An ACCOUNT of the MONIES paid GOVERNMENT in consequence of AGREEMENTS with the Company concerning the Territorial Possessions in India.—(Referred to in Page 13.)

I.  
REVENUE  
ACCOUNTS.  
No. 2.

							£.	s.	d.
1768:	24th March	..	Being the 1st half-yearly payment per agreement				200,000	0	0
—	28th September	—	2d .. ditto .. ..				200,000	0	0
1769:	23d March	..	— 3d .. ditto .. ..				200,000	0	0
—	28th September	—	4th .. ditto .. ..				200,000	0	0
1770:	24th March	..	Being the 1st half-yearly payment per further } agreement .. ..				200,000	0	0
—	28th September	—	2d .. ditto .. ..				200,000	0	0
1771:	23d March	..	— 3d .. ditto .. ..				200,000	0	0
—	28th September	—	4th .. ditto .. ..				200,000	0	0
1772:	24th March	..	— 5th .. ditto .. ..				200,000	0	0
1773:	—	..	Paid in Exchequer Bills, out of loan of £1,400,000, } per Act of Parliament, which was payable } 29th September 1772 .. ..				200,000	0	0
—	—	..	Ditto, being part of the last payment per agree- } ment, payable 25th March 1773 .. ..				53,779	3	5½
1773:	13th January	..	Being the remainder of the last payment per } agreement, and which was payable 25th March } 1773 .. ..				115,619	14	9
							£ 2,169,398 18 2½		

East-India House,  
16th May 1783.

(Errors excepted)  
(Signed)

SAMUEL NICOLL,  
Accomptant.

East-India House.  
24th August 1831.

A true Copy :

THOS. S. CABELL,  
Dep. Acct. Gen.

D

38728



## Appendix, No. 2.—continued.

(No. 4).—A STATEMENT to show the Amount realized in England from the Territories and Revenues obtained in India.—  
(Referred to in page 14.)

From	To the Cost in England of the goods, stores and bullion sent to India and China, with the expense of raising and transporting troops for the defence of the territories with other charges not relating to Com- merce, paid here, from the season 1764 to the season 1777, both included, these several heads came to .. .. £9,990,439	From March 1766 to March 1780 14 years.	By the Amount returned in England from India and China in the space of 14 years, reckoning from the arrivals in 1766 to the arrivals in 1779, both in- cluded; these investments, according to their invoices, cost the sum of .. .. £21,749,847	Received in the sea- son 1775 of Government on account of the Man- hillas .. .. 28,193	21,749,847
Sept. 1764 to Sept. 1778, 14 years.	The bills of exchange drawn from India and China on the Directors, from the season 1765 to the season 1778, both inclusive .. .. 6,986,015				
	The profits arising in 14 years from the sale of Europe goods and stores abroad; the last year by estimate; and applied to purchases of the invest- ments for Europe .. .. 1,140,424				
	Balance, being what the above articles are short of the amount of the investments, and is therefore the sum realized in England from the revenues .. 3,622,969				
	£.				
	18,126,878				
	£21,749,847				

N.B.—The sum of £3,622,969, realized from the Revenues in the fourteen years and a half, is nearly equal to 7 $\pi$  per cent. per annum on the Capital.

The above fourteen years' imports were brought to market and sold in fourteen years and a half, or to their full amount.

Amount expended, as per No. 1, in carrying on the wars in India up to the year 1768	Amount realized in England from the territories and revenues obtained in India between 1766 and 1780 (as per No. 4)	£.	s.	d.
.. .. 3,622,969	0	0	0	0
Less Amount paid to Government within the same period, in consequence of agreements with the Company concerning the territorial possessions in India (as per No. 2)	2,168,398	18	24	
Amount remaining for the Company of the above remittances from the territorial revenues applied to the discharge of their Bond Debt (as per No. 5)	1,453,570	1	04	
Amount of the Expenditure on account of the wars above-mentioned not repaid to the Company by remittances from the revenues, exclusive of interest, agreeing with the amount stated upon the Journals of the House of Commons, 12th March 1783, as the net sum disbursed by the Company on this account	3,616,113	18	24	
(Errors excepted)	A true Copy:			
(Signed) SAMUEL NICOLL,	East-India House,			
Accomptant.	24th August 1831.			
East-India House,	THOS. S. CABELL,			
16th May 1783.	Dep. Acct. Gen.			

£21,749,847

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 19

## Appendix, No. 2.—*continued.*

(No. 5).—An ACCOUNT of the Sums paid to the East-India Company to discharge their  
• BOND DEBT, between 31st May 1766 and 31st January 1781.—(Referred to in page 13.)

I.  
REVENUE  
ACCOUNTS.

No. 2.

In 1766	..	..	..	Paid	..	..	..	..	£.
									100
1774	..	..	..	ditto	..	..	..	..	100
1776	..	..	..	ditto	..	..	..	..	300
1777	..	..	..	ditto	..	..	..	..	571,445
1778	..	..	..	ditto	..	..	..	..	808,862
1779	..	..	..	ditto	..	..	..	..	2,638
1780 to 31st January 1781,				ditto	..	..	..	..	3,425
									<u>£1,386,870</u>

Memorandum, in addition to this Account :

	£.	s.	d.
Paid as before-mentioned to 31st January 1781 .. ..	1,386,870	0	0
Paid since the 1st May 1783 .. ..	2,412	10	0
Remains undemanded, advertised to be paid off .. ..	11,942	0	0
Balance applied towards the payment of the Old Bullion } Debt to the Bank .. ..	52,344	10	0
TOTAL, being the whole Sum received by the Com- pany from the Territorial Revenues in India .. }	1,453,569	0	0

(Errors excepted)

(Signed)

SAMUEL NICOLL,  
Accomptant.

A true Copy :

THOS. S. CABELL,  
Dep. Acct. Gen.

East-India House,  
16th May 1783.

East-India House,  
16th August 1831.

20 FIRST APPENDIX TO THE THIRD REPORT OF THE

Appendix—

(A.)—AN ESTIMATE OF THE BALANCE OF SUPPLIES BETWEEN INDIA AND ENGLAND FROM THE YEAR 1779-80 TO

SEASONS OUTWARD, September to September.	EXPORTS : Goods, Stores, and Bullion, Invoice Amount, deducting Cargoes lost, (Including St. Helena.)	SEASONS HOMEWARD, September to September.	Bills of Exchange, September to September, (Including St. Helena.)	PROFIT on EXPORTS.	LOSS on EXPORTS
	£.		£.	£.	£.
1779-80 ..	340,902	1780-81	430,085	118,585	—
1780-81 ..	283,806	1781-82	803,857	3,974	—
1781-82 ..	524,915	1782-83	1,723,725	1,145	—
1782-83 ..	470,241	1783-84	1,256,530	101,975	—
1783-84 ..	313,892	1784-85	1,318,163	18,219	—
1784-85 ..	258,734	1785-86	280,234	46,301	—
1785-86 ..	299,477	1786-87	1,420,291	28,880	—
1786-87 ..	391,466	1787-88	275,831	28,657	—
1787-88 ..	459,084	1788-89	1,068,977	42,898	—
1788-89 ..	428,033	1789-90	507,722	6,594	—
1789-90 ..	557,380	1790-91	686,228	—	12,473
1790-91 ..	961,241	1791-92	891,806	1,045	—
1791-92 ..	498,038	1792-93	614,080	959	—
£	5,786,509		11,277,529	399,232	12,473

*Mem.*—The valuation of the Indian Coins is as follows :—For imports, Bengal current rupee, 2s., pagoda, 8s., Bombay rupee, 2s., 3d., Spanish dollar, 5s.; for bills of exchange, the rates at which the bills were severally drawn.

East-India House,  
24th August 1831.

(Errors excepted)

THOS. S. CABELL  
Dep. Acct. Genl.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 21

—No. 2.—continued.

1791-92 England, corresponding with the Year 1780-81 to 1792-93 India.—(Referred to in page 14.)

TOTAL Amount of SUPPLIES.	Consignments from India whether arrived or lost at Sea: (Invoice Amount.)	Commercial Charges in India, not added to the Invoices.	TOTAL IMPORTS	IMPORTS MORE.	IMPORTS LESS.
£.	£.	£.	£.	£.	£.
888,872	1,144,429	100,799	1,245,228	356,356	—
1,091,637	149,174	98,893	248,067	—	843,570
2,249,785	839,202	108,490	947,692	—	1,302,093
1,828,746	2,184,521	95,015	2,279,536	450,790	—
1,650,274	1,257,836	106,173	1,364,009	—	286,267
585,269	768,603	112,779	881,382	296,113	—
1,748,648	961,382	113,895	1,075,277	—	673,371
695,954	794,046	93,978	888,024	196,070	—
1,570,959	1,000,606	111,766	1,112,372	—	458,587
942,349	1,127,847	106,734	1,234,581	292,232	—
1,231,135	1,090,487	90,300	1,180,787	—	50,348
1,854,092	1,148,738	105,625	1,254,363	—	599,729
1,113,077	1,301,780	135,346	1,437,126	324,049	—
17,450,797	13,768,651	1,379,793	15,148,444	1,911,610	4,213,963
Deduct Imports more ..					1,911,610
Balance against India ..					2,302,353
Add other Payments in England on account of India in the above Period ..					£.
Paid into the Exchequer in 1781-82 and 1787-88 (per agreement) .. .. .					400,000
Paid to Government for Expenses of His Majesty's Troops and Fleet, serving in India in 1789-90 and 1790-91 .. .. .					500,000
Interest paid on India Debt Bills (the payments of which had been postponed) to the 1st March 1793 ..					332,231
Deposit in the Court of Admiralty on account of a suit depending in the Court regarding the capture of Chinsurah .. .. .					67,483
Territorial Charges General, paid in England in 1780-81 to 1792-93 (13 years), the charges appertaining both to Territory and Commerce being divided as nearly as possible, according to the plan agreed upon in 1814 by the Board of Control and the Court of Directors for such Division .. .. .					1,166,728
Passage of Military, and Supplies to them on voyage, 1780-81 to 1792-93 (13 years) .. .. .					889,450
Political Charges included in Accounts of Freight and Demorage, calculated according to the proportion which the charge on this Account, as ascertained subsequently to 1814, upon the principles laid down in the plan of accounts, bears to the charge incurred for Passage of Military since that period ..					*2,014,410
(* No Specific allowance is included in the above amount in respect of the Extraordinary Payments for Freight and Demorage, from 1781 to 1785, exhibited in the Account No. 13, presented to the House of Commons in May 1783.) .. .. .					5,370,302
Deduct, Balance of Supplies from India to China, 1780-81 to 1792-93 .. .. .					£ 1,227,580
Sundry payments in India, recoverable in England, advances to owners of ships, &c. &c. .. .. .					135,516
					1,362,096
					—
Add Decrease of Commercial Property in India, between 1780 and 1793 .. .. .					—
Amount of Commercial Property in India, 1780 .. .. .					2,061,006
Ditto .. ditto .. ditto, 1793 .. .. .					1,312,008
					—
					518,968
Balance against India, 1780-81 to 1792-93 .. .. .					£ 6,829,557

Appendix—

I.  
REVENUE  
ACCOUNTS.(B.)—AN ESTIMATE of the BALANCE of SUPPLIES between India and England,  
Year 1793-94 to the 1st May 1814

No 2.

SEASONS OUTWARD, September to September.	EXPORTS: Goods, Stores, and Bullion, Invoice Amount, deducting Cargoes lost, (exclusive of St. Helena).	SEASONS HOMEWARD, September to September.	BILLS OF EXCHANGE, September to September, (exclusive of St. Helena).	PROFIT on EXPORTS.	LOSS on EXPORTS.
	£.		£.	£.	£.
1792-93 ..	283,323	1793-94 ..	866,993	11,042	—
1793-94 ..	477,342	1794-95 ..	1,002,078	31,928	—
1794-95 ..	406,599	1795-96 ..	931,461	29,650	—
1795-96 ..	652,065	1796-97 ..	737,379	71,372	—
1796-97 ..	631,118	1797-98 ..	345,040	76,277	—
1797-98 ..	850,560	1798-99 ..	825,018	20,429	—
1798-99 ..	1,326,769	1799-1800 ..	1,033,614	14,560	—
1799-1800 ..	848,777	1800-01 ..	585,409	4,662	—
1800-01 ..	1,361,171	1801-02 ..	711,592	—	4,076
1801-02 ..	1,527,807	1802-03 ..	539,783	—	503
1802-03 ..	2,121,382	1803-04 ..	612,582	—	20,363
1803-04 ..	1,475,401	1804-05 ..	569,106	15,554	—
1804-05 ..	2,463,526	1805-06 ..	629,502	—	2,771
1805-06 ..	1,252,743	1806-07 ..	1,093,752	28,822	—
1806-07 ..	1,196,130	1807-08 ..	1,706,439	—	11,161
1807-08 ..	1,168,017	1808-09 ..	3,241,411	44,885	—
1808-09 ..	943,681	1809-10 ..	4,216,808	41,236	—
1809-10 ..	908,128	1810-11 ..	3,334,124	37,803	—
1810-11 ..	1,069,548	1811-12 ..	2,010,685	52,414	—
1811-12 ..	1,109,794	1812-12 ..	789,246	40,598	—
1812-13 ..	1,021,617	1813-14 } to 1st May	375,586	52,642	—
1813-14 { Military Stores re- ceived in India be- fore 1st May 1814 }	32,416				
£	23,037,914	£	26,157,608	573,874	38,874

—No. 2—continued.

from the Year 1792-93 to the 1st May 1814 England, corresponding with the India.—(Referred to in page 14.)

I.  
REVENUE  
ACCOUNT.  
No. 2

TOTAL AMOUNT of SUPPLIES.	Consignments from India, whether arrived, or lost at Sea, (Invoice Amount).	Commercial Charges in India, not added to the Invoices.	TOTAL IMPORTS.	IMPORTS MORE.	IMPORTS LESS.
£.	£.	£.	£.	£.	£.
1,161,358	1,580,561	145,004	1,725,565	564,207	—
1,511,348	1,945,302	192,991	2,138,293	626,945	—
1,367,710	1,817,950	199,437	2,017,387	649,677	—
1,460,816	1,736,057	152,901	1,888,958	428,142	—
1,052,435	2,307,022	159,543	2,466,565	1,414,230	—
1,696,007	1,409,155	155,567	1,564,722	—	131,285
2,374,943	1,471,955	202,753	1,674,708	—	700,235
1,438,848	1,277,916	165,082	1,442,998	4,150	—
2,068,687	1,056,140	157,013	1,213,153	—	855,534
2,067,087	1,834,582	164,936	1,999,518	—	67,569
2,713,601	1,371,983	173,278	1,545,261	—	1,168,340
2,960,061	1,964,385	219,060	2,183,445	123,384	—
3,090,257	778,349	171,051	949,400	—	2,140,857
2,375,317	977,107	186,186	1,163,293	—	1,212,024
2,891,408	1,420,000	173,207	1,593,207	—	1,298,201
4,404,313	1,183,804	165,839	1,349,643	—	3,104,670
5,201,725	1,116,698	157,673	1,274,371	—	3,927,354
4,280,055	1,543,338	177,640	1,720,978	—	2,559,077
3,132,647	1,973,455	175,060	2,148,515	—	984,132
1,849,638	3,448,254	178,288	3,626,542	1,776,904	—
1,482,261	1,782,639	185,600	1,968,239	485,978	—
49,730,522	33,996,652	3,658,109	37,654,761	6,073,527	18,149,278
				Deduct .. ..	£ 6,073,517
				Balance against India, carried over ..	£ 12,075,761

(continued on next page.)

24 FIRST APPENDIX TO THE THIRD REPORT OF THE

(continued from preceding page.)

BALANCE against India brought over .. .. .	£12,075,761
Add, Passage of Military to India, and Supplies to them on the voyage, 1st March 1793 to 1st May 1814 .. .. .	£1,563,393
Political Charges,* General .. .. .	4,402,576
Political Charges included in the Accounts of Freight and Demorage .. .. .	*769,138
Officers on Furlough .. .. .	2,043,443
Amount paid to Government for participation, and for Troops serving in India .. .. .	600,000
Ditto ditto for Seamen, and for the hire of Ships taken up in India for the Public Service .. .. .	75,290
Bonds of the Rajah of Tanjore and Nabobs of Arcot, and Pay- ments under the adjudications of the Carnatic Commissioners ..	589,316
Interest and Sinking Fund on the Loan from the Public in 1812 ..	488,927
Charges of St. Helena, defrayed in England, from 1793-94 to 1st May 1814 .. .. .	1,431,830
	<hr/> 11,963,913
Balance against India, carried forward ..	<hr/> £24,039,674

\* The amount included above as the Charge for Political Freight and Demorage in this period is made up principally from Returns laid before Parliament on several occasions prior to 1814, when the principle for ascertaining this charge at present adopted was laid down as part of the plan for keeping the Home Accounts: according to this plan, it is estimated that this charge would have amounted, by the mode of calculation adopted in Account (A.) to £3,540,743.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 25

I.  
REVENUE  
ACCOUNTS  
No. 2.

BALANCE against India brought forward .. .. .	£24,039,674
Deduct, Bills of Exchange drawn from India in favour of the Company, and Payments made in India on account of England, 1793-94 to 1813-14 .. .. .	£2,415,931
Received of His Majesty's Government, for Disbursements made in India for the Public Service .. .. .	7,879,909
Loan from the Public in 1812 .. .. .	2,500,000
Sale of Ships built in India .. .. .	169,986
Balance of Supplies from India to China, 1793-4 to 1813-14 ..	6,414,282
Supplies from India received at the Cape of Good Hope, from 1793-4 to 1813-14 .. .. .	170,226
Bills of Exchange re-invested and sent back to India .. ..	999,103
	<hr/> 20,549,437
The Balance against India, as above ..	3,490,237

Deduct increase of Commercial Property in India, between 30th April  
1793 and 30th April 1814 :

Amount of Commercial Property in India, 30th April 1814 ..	£3,432,868
Ditto .. ditto .. 30th April 1793 ..	1,542,008
	<hr/> 1,890,860

BALANCE against India, 1793-94 to 1813-14 .. £1,699,377

*Memorandum.*—The valuation of the Indian coins is as follows : for Imports, Bengal Current Rupee, 2s. ; Pagoda, 8s. ; Bombay Rupee, 2s. 3d. ; Spanish Dollar, 5s. ; for Bills of Exchange, the rates at which the bills were severally drawn.

East-India House,  
24th August 1831.

(Errors excepted)

THOS. S. CABELL,  
Dep. Acct. Gen.



I.  
REVENUE  
ACCOUNTS

No. 3.

Appendix, No. 2.—*continued.*(C).—AMOUNT paid for INTEREST on HOME BOND DEBT, from 1st March 1766\* to 30th April 1814.  
(Referred to in page 14).

1st March 1766 to 1st March 1780:	£.	£.
1766-67 .. ..	101,329	
1767-68 .. ..	86,853	
1768-69 .. ..	86,853	
1769-70 .. ..	86,853	
1770-71 .. ..	86,853	
1771-72 .. ..	86,853	
1772-73 .. ..	86,853	
1773-74 .. ..	86,853	
1774-75 .. ..	86,853	
1775-76 .. ..	86,850	
1776-77 .. ..	90,087	
1777-78 .. ..	83,736	
1778-79 .. ..	69,104	
1779-80 .. ..	59,880	
		1,185,810

1st March 1780 to 1st May 1793:

1780-81 .. ..	60,484
1781-82 .. ..	59,806
1782-83 .. ..	51,997
1783-84 .. ..	62,588
1784-85 .. ..	45,287
1785-86 .. ..	93,041
1786-87 .. ..	104,670
1787-88 .. ..	87,156
1788-89 .. ..	68,942
1789-90 .. ..	116,227
1790-91 .. ..	122,239
1791-92 .. ..	127,495
1792-93 .. ..	127,213
	1,127,145

Carried forward £2,312,955

	£.
Brought forward	2,312,955
1st March 1793 to 1st May 1814:	£.
1793-94 .. ..	122,346
1794-95 .. ..	83,013
1795-96 .. ..	78,466
1796-97 .. ..	53,793
1797-98 .. ..	49,234
1798-99 .. ..	69,701
1799-1800 .. ..	78,635
1800-01 .. ..	86,058
1801-02 .. ..	76,255
1802-03 .. ..	72,524
1803-04 .. ..	80,885
1804-05 .. ..	80,665
1805-06 .. ..	126,458
1806-07 .. ..	142,748
1807-08 .. ..	*153,201
1808-09 .. ..	*233,353
1809-10 .. ..	*272,482
1810-11 .. ..	*269,153
1811-12 .. ..	*267,196
1812-13 .. ..	*338,884
1813-14 .. ..	*376,001
	3,111,94
	£5,424,89

\* Including Property Tax paid by the Company.

East-India House,  
24th August 1831.

(Errors excepted)

THOS. S. CABELL,  
Dep. Acct. Gen

Appendix, No. 3.

PROSPECTIVE ESTIMATE of the TERRITORIAL DEBT of India at the close of the Company's present Term, calculating the Sicea Rupee at 1s. 11d. instead of the Rates of Exchange fixed by the Board of Commissioners for the Affairs of India.

I.  
REVENUE  
ACCOUNTS.  
No. 3.

	BENGAL.	MADRAS.	BOMBAY.	TOTAL.
	£.	£.	£.	£.
Debts at 4 per cent. . . . .	208,275	28,359	92,220	328,854
Ditto 5 ditto . . . . .	28,453,287	2,446,420	—	30,899,707
Ditto 6 ditto . . . . .	8,621,874	273,090	182,951	9,077,915
Ditto 8 ditto . . . . .	44,237	377,508	170,881	592,626
Ditto 10 ditto . . . . .	1,773	—	—	1,773
Treasury Notes . . . . .	125,858	—	—	125,858
Total Debts bearing Interest, . . £	37,455,304	3,125,377	446,052	41,026,733
Debts not bearing Interest, . . £	5,321,933	831,236	429,102	6,582,271
TOTAL TERRITORIAL DEBT, £	42,777,237	3,956,613	875,154	47,609,004

East-India House,  
29th August 1831.

(Errors excepted)

JAMES C. MELVILL,  
Aud. India Accts.

I.  
REVENUE  
ACCOUNTS.  
—  
No. 4.

## Appendix, No. 4.

An Account of the Amount of Payments in England on account of India, in the Three Years past, and the manner in which the REMITTANCES have been made, including SPECIE and BILLS Direct and Indirect; stating the Prime Cost and Expenses, and the Proceeds of Sale of each such Remittance, and the Average Charge or Rate of Remittances, in each of those Three Years, of such Proceeds.

AMOUNT OF PAYMENTS IN ENGLAND ON ACCOUNT OF INDIA:— <i>Viz.</i>			TOTAL PAYMENTS in ENGLAND on Account of INDIA.
TERRITORIAL CHARGES within the View of the 56 Sec. of the 53 Geo. 3, c. 155.	BILLS OF EXCHANGE for Interest of India Debt, and for Principal not provided for from Commercial Surplus, with other Payments to be provided for from Territorial Remittances.	BILLS DRAWN in Discharge of Principal of India Debt, paid from Commercial Surplus.	
£.	£.	£.	£.
1828-29 .. .. .	2,337,774	82,065	3,067,188
1829-30 .. .. .	2,102,916	75,778	3,018,211
1830-31 .. .. .	1,846,353	—	2,797,041
£	6,287,043	157,843	8,882,440
<i>Mem.</i> —Received unclaimed Prize Money on account of Lord Clive's Fund, operating in reduction of the above Sums, in 1828-29 .. .. . £1,968 1829-30 .. .. . .. 408 £2,376			(*)
			No Remittance called for to meet these Pay- ments.
Manner in which the Remittances have been made (see page 30).			

REMITTANCES THROUGH THE COMPANY'S COMMERCE :

Under the provisions of the section of the 53 Geo. 3, above mentioned, a Sum is to be issued in India, for the purposes of Investments, equal (with the amount which may have been paid from the Territorial Revenues for the Charges of the Commercial Establishments and all the Commercial Charges in India) to the actual payments which shall have been made from the Commercial Funds at Home on account of Territorial Charges, being those charges, the amount of which, in each of the last three years, is shown above.

In the plan of 1814, for keeping the Home Accounts, the following Rates of Exchange are fixed by the Board of Commissioners for the Affairs of India, for determining the amount to be issued annually in the Currencies of India, with the foregoing view, viz.

2/ per Current	..	..	or per Sicca Rupee	..	..	2	3	84	s.	d.
8/ per Pagoda	..	..	or per Madras	..	..	2	3	7	..	..
Per Bombay Rupee	..	..	..	..	..	2	3	7	..	..

The Territory, therefore, repaying to the Commerce in India the Sums disbursed on its account at Home at those rates, obtains a remittance upon those terms, to the extent of the Charges so defrayed in England.

An Average Rate per Sicca Rupee in each year is found from the proportions which the Sums issued for Investment at the respective Presidencies annually bear to each other, and stated under this column.

Mem.—Throughout this Statement the Currencies of Madras and Bombay have been converted into that of Bengal (the Sicca Rupee) according to the proportions of Fine Silver respectively contained in them.

(\*) Payments on account of the Home Bond Debt are not included in the above Statement.

AVERAGE RATE OF REMITTANCE realized in this mode by the Territory.		Per Sicca Rupee.	
1828-29	.. .. 2	4	0.12
1829-30	.. .. 2	3	999
1830-31	.. .. 2	3	905
Per Estimate.			

(Continued on next page)

L.  
REVENUE  
ACCOUNTS.  
No. 4

## Appendix—

The preceding Account—*continued.*

## MANNER IN WHICH THE REMITTANCES HAVE BEEN MADE:

REMITTANCES on the Direct Account of the Territory, under the 55th Sec. of the 53 Geo. 3, c. 153.

	AMOUNT Paid in India as the Cost of, or equivalent for each Remittance.	NET PROCEEDS in England, of each Remittance.	AVERAGE RATE of each Year's REMITTANCES.
1828-29 :	Sicca Rupees.	£. Sterling.	per Sicca Rupee.
Bills drawn by the Court on India .. ..	35,836	3,285	}
Ditto drawn from India, principally on the Public Boards, for Supplies furnished to His Majesty's Services in India .. ..	6,21,631	61,728	
Received of His Majesty's Government in repay- ment of Advances in India, not covered by Bills of Exchange .. ..	82,570	8,597	
Bullion from Bengal and Madras: Cost and Charges in India .. ..	63,89,492		
Sale Amount .. .. £634,863			}
Charges defrayed in England 7,098			
Net Sale Proceeds .. ..	..	627,765	}
	£	701,375	
1829-30 :			
Bills drawn by the Court on India .. ..	29,049	2,643	}
Ditto drawn from India, principally on the Public Boards, for Supplies furnished to His Majesty's Service in India .. ..	5,46,668	54,728	
Bill drawn from St. Helena (Accounts kept in Sterling money .. ..	—	111	
	£	57,482	

(Continued on next page)

—No. 4—continued.

The preceding Account—continued.

I  
REVENUE  
ACCOUNTS  
No. 1.

MANNER IN WHICH THE REMITTANCES HAVE BEEN MADE.

REMITTANCES on the Direct Account of the Territory, under the 55th Sec. of the 53 Geo. 3, c. 155.

	AMOUNT Paid in India as the Cost of, or equivalent for each Remittance	NET PROCEEDS in England, of each Remittance.	AVERAGE RATE of each Year's REMITTANCES.
1830-31:	Sicca Rupees.	£. Sterling.	per Sicca Rupee
Bills drawn by the Court on India .. ..	76,406	6,634	}
Ditto drawn from India, principally on the Public Boards, for Supplies furnished to His Majesty's Service in India .. ..	3,76,010	37,891	
Advances made in India on the Security of the Goods of Individuals, repaid here, at 1s. 11d. per Sicca Rupee .. ..	20,92,407	200,522	
Bullion from Bengal and Madras: Cost and Charges in India .. ..	54,43,632		
Sale amount .. .. £5,32,167	}		s. d.
Charges defrayed in England 6,879			
Net Sale Proceeds .. ..		525,288	} 1 11 14 3
	£	770,335	
Bullion received through China: Net Sum realized on account of Remittances arrived, but which having been only partially disposed of prior to 1st May 1831, the Account of the Proceeds will be stated in 1831-32 .. ..		102,335	}
	£	872,670	
TOTAL of NET PROCEEDS of REMITTANCES under this head, realized in the above Three Years .. ..		1,631,527	

*Mem.*—The Charges here inserted upon Bullion, are the amount actually attaching to each consignment, and will necessarily differ from the Payments stated under the head of "Bullion Imported," in the Annual Accounts presented to Parliament, the Payments in which are stated at the period of their actual occurrence.

According to the provisions contained in the plan for keeping the Home Accounts, the amount in which the Remittances fall short of the Payments under this head is to be provided for by Advances to the Commercial Department in India, at the rates of Exchange at which the Bills are discharged by the Company, with a condition framed with a view to secure the Commerce from Loss in remitting the Sum so advanced to it to England; but no final adjustment of Account has yet been made with reference to this point.

East-India House,  
28th Sept. 1831.

(Errors excepted)

THOS. G. LLOYD, Acct. Gen.

# Appendix, No. 5.

(A.) An Account showing the Total Amount of CHARGES on the COMMERCE of the EAST-INDIA COMPANY, in England, India, and China, for the Years 1828-29 and 1829-30 :—Also,

An Account explanatory of the Account of PROFIT and Loss of the EAST-INDIA COMPANY,\* showing the Total Amount of Charges therein specified, and the Amount charged on each of the various Heads of the said Account.

\* (No. 26.—Appended to Minutes of Evidence, taken in Session 1830-31, Page 300.)

1828-29.			STATEMENT of the various Franchises of Trade to which these Charges are apportioned.	
TOTAL AMOUNT OF CHARGES.	RECEIPTS not already deducted from Payments, reducing the Charges upon the Company's Commerce.	NET AMOUNT of Charge, after deduction of each Receipts.		
		£.	£.	
* IN ENGLAND.	Freight on Private Trade Goods : £6,652	798,547	Upon Consignments of Goods from England to India 1827-28 } Ditto .. China .. .. } Ditto .. India to China (exclu- sive of £13,991 freight, paid in India) .. .. } Upon Imports into England } from India, 1828-29 .. .. } Ditto .. ditto .. China .. } Upon Consignments from India and China to the Cape of Good Hope .. .. } Upon Consignments of Teas from China to Canada .. .. } Ditto .. ditto .. Halifax .. } £	2,025 11,000 75,523 117,441 508,827 832 7,207 5,692 728,547
	Charges and Duties on Pri- vate Trade .. 122,152 Balance Re- ceipts for Cus- tomers on Private Trade .. 1,474 £123,626		Charge of 5 per cent. upon the Sale Amount of Goods from India, 1828-29 .. .. } Ditto .. ditto .. China .. } Charged on exports, &c. .. } Apportioned upon Buildings .. } Surplus to credit of Commerce .. } £	96,312 164,536 25,483 5,093 291,424 10,414 281,010
	404,636	231,010		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

33

I.  
REVENUE  
ACCOUNTS.  
No. 5.

China Supra-cargoes' Commission paid in England .. .. £63,355 Advances made on account thereof in China adjusted by deductions in England from the gross Amount due, tales 27,486, at 6s. 8d. 9,162	72,517	—	72,517	COMMISSION CHARGED: Upon Exports, England to China, } 1827-28 .. .. .. } 13,524 Ditto Consignments, India to China.. } 8,912 Ditto Imports from China, 1828-29 .. } 49,361  Accounted for in previous and sub- } sequent years .. .. .. } 71,797 720 £ 72,517
	£ 1,212,352	130,278	1,082,074	
Bengal: Amount Commercial Charges (East-India Annual Revenue Accounts, No. 19, dated 14th May 1831,) current Rupees 18,82,722, calculated at 2s. per current Rupee .. .. .. Madras .. .. ditto .. .. ditto, Pagodas 73,881, calculated at 8s. per Pagoda .. .. .. Bombay .. .. ditto .. .. ditto, Bombay Rup. 223,164, calculated at 2s. 3d. per Bombay Rupee .. .. .. China .. .. ditto .. .. ditto, Tales 184,491, calculated at 6s. 8d. per Tale .. .. ..	188,272		181,819	Apportioned upon Consignments to England, the North American Colonies, the Cape, St. Helena, and from port to port, &c. Current Rupees 18,11,190, at 2s. per Current Rupee .. .. .. Ditto, Pagodas 96,400, at 8s. per Pag. .. .. .. Ditto, Bombay Rupees 2,20,271, at 2s. 3d. per Rupee .. .. .. Ditto, Tales 180,193, at 6s. 8d. per Tale .. .. ..
	29,552		38,560	
	25,106		24,781	
	61,497		60,065	
	£ 304,427		305,225 798	
Cape of Good Hope: Amount Charges .. .. .. Canada .. .. ditto .. .. .. Halifax .. .. ditto .. .. ..	2,800 12,244 3,281		304,427	Surplus to Credit of Commerce .. ..  Charged against the proceeds of the Sales .. .. .. Ditto .. .. .. Ditto .. .. ..
	18,325		2,800 12,244 £,281	
TOTAL CHARGES in England, India, China, &c.; valuing that part paid Abroad at the Board's Rates of Exchange .. ..	1,404,826		£ 18,325	

(continued on next page.)



I.  
REVENUE  
ACCOUNTS.  
No. 5.

## Appendix, No. 5—continued.

The preceding Account—continued.

	1829-30.			STATEMENT of the Various Branches of Trade to which these Charges are apportioned.	£.
	TOTAL AMOUNT of CHARGES.	RECEIPTS not already deducted from Payments, reducing the Charges upon the Company's Commerce.	NET AMOUNT of Charge, after deduction of such Receipts.		
IN ENGLAND.	£.		£.		£.
Freight and Demorage: the Charge applying to the trans- actions of the year .. ..	698,632	Freight on Private Trade Goods. £10,999	687,633	Upon Consignments of Goods from England to India, 1828-29 .. Ditto .. ditto .. China .. Ditto .. India to China, exclu- sive of £25,145 freight paid in India .. .. Upon imports into England from India 1829-30 .. .. Ditto .. ditto .. China .. Upon Consignments from India and China to the Cape of Good Hope .. .. Upon Consignments of Teas from China to Canada .. .. Ditto .. Halifax .. ..	5,450 15,032 71,513 103,050 477,142 2,157 8,340 4,849 687,633
Commercial Charges General, or "Charges Merchandize," the actual Payments in the year .. .. 418,508 Deduct, Payments for China Supracargoes' Commission separate- ly accounted for .. 71,616	346,892	Charges and Duties on Pri- vate Trade .. 106,817 Balance Re- ceipts for Cus- toms on Pri- vate-Trade .. 378 £107,195		Charge of 5 per cent. upon the Sale Amount of Goods from In- dia, 1829-30 .. .. Ditto .. ditto .. from China Charged on Exports, &c. .. Apportioned upon Buildings .. Surplus to Credit of Commerce ..	57,592 151,874 22,627 10,166 242,259 2,562 239,697

China Supracargoes' Commission paid in England .. ..	71,616				COMMISSION CHARGED:	
Advances made on Account thereof in China, adjusted by deductions in England from the gross Amount due, tales 38,544, at 6s. 8d. 12,848		84,464	—	84,464	Upon Exports from England to China, 1828-29 .. ..	14,350
					Ditto .. India to China .. ..	16,421
					Ditto Imports into England from China, 1829-30 .. ..	44,766
					Accounted for in previous or subsequent years .. ..	69,537
						14,927
						£ 84,464
</						

Bengal: Estimated Amount Commercial Charges (East-India Annual Revenues, No. 19, dated 14th May 1831), current rupees 19,00,532;

at 2s. per current rupee .. ..

Madras: .. ditto .. pagodas 59,050, at 8s. per pagoda .. ..

Bombay: .. ditto .. Bombay rupees 343,502, at 2s. 3d. per

Bombay rupee .. ..

China: .. ditto .. tales 209,892, at 6s. 8d. per tale .. ..

£

Cape of Good Hope: Amount Charges .. ..

Canada .. .. ditto .. ..

Halifax .. .. ditto .. ..

£

TOTAL CHARGES in England, India, China, &c.; valuing the

part paid abroad, at the Board's Rates of Exchange .. ..

£

1,353,188

(Errors excepted)

East-India House,

28th Sept. 1831.

THOS. G. LLOYD,

Acct. Gen.

No. 5.

I.

REVENUE

ACCOUNTS

I.  
REVENUE  
ACCOUNTS.  
—  
No. 6.

## Appendix, No. 6.

(B).—An Account explanatory of the foregoing Amount (Account, referred to in Account A.) specifying how the PROFITS of the EAST-INDIA COMPANY in their China Trade, are diminished in the Sum of £254,085, by the adherence to the Board's Rate of Exchange.

THIS Account was framed upon the computation that the Funds realized in China for the provision of Investment are replaced in Europe by the Sale of the Articles two years after the outlay has been incurred for its provision; consequently the Supplies from India realized in China in 1827-28, are the Funds applicable to the purchase of the Goods sold in 1829-30.

Those Supplies in the Year 1827-28, were as under :

## SUPPLIES FROM INDIA Received in China in the Year 1827-28.

				Calculated at the Rates of Exchange established by the Board.	
				Sicca Rupees.	£.
FROM BENGAL :					
Consignment of Cotton ..	..	..	..	12,86,559	£.
Bonds of Commanders of Company's Ships for Cotton supplied them, receivable in China ..	..	..	..	8,12,757	
Bills drawn by the Supracargoes on the Supreme Government ..	..	..	..	35,79,122	
S. Rs.				56,78,438	658,698
FROM MADRAS :					
				Madras Rupees.	
Consignment of Cotton ..	..	..	..	8,71,776	
Ditto .. Sandal Wood ..	..	..	..	43,012	
M. Rs.				9,14,788	104,547
					at 2/3 $\frac{2}{3}$

FROM BOMBAY:

Consignment of Cotton and Freight payable at Bombay on account of the same .. .. . 15,81,588  
Bonds of Commanders of Company's Ships for Cotton supplied them .. .. . 5,98,704

B. Rs.

at 2/3

245,383

1,008,528

The above, calculated at a Mercantile Rate of Exchange, as ascertained from the Rates at which Bills were drawn from London on Calcutta, at the times the issues were made in India :

	Sicca Rupees.	At the Mercantile Rate, as above.
Bengal (as above) .. .. .	56,78,438	£. d.
Madras .. (ditto) Ms. Rs. 9,14,788; equal, according to the proportion of fine Silver in the several Coins, to .. .. .	8,57,989	at 1 9.10
Bombay (ditto) B. Rs. 21,80,292; equal according to the proportion of fine Silver in the several Coins, to .. .. .	20,44,919	
	S. Rs. 85,81,346	

Difference, or Amount by which the Cost of the Supplies has been increased, in consequence of the use of the Board's Rates diminishing to that extent the Amount of the Profits .. £

754,443

254,085

*Mem.*—The difference of Exchange, affecting the China Trade by the use of the Rates fixed by the Board, has operation only upon that part of the Cost of the China Investment which has been furnished by the Supplies from India.

East-India House,  
28th September 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

I.  
REVENUE  
ACCOUNTS  
No. 7.

## Appendix, No. 7.

(C.)—A similar Account, with the Account (B.) of the Loss of £585,940, on the Trade between Europe and India.

THE difference by Exchange between the Board's Rates and the Mercantile Rates of Exchange, operates upon that part only of the Investment from India which is furnished in repayment of Territorial Charges defrayed in England. The Account above referred to comprises also the Sale of Investments derived from other sources, the amount of which being deducted, as below, from the Total Cost of the Consignments which enter into the Sales of the Year, there remains the proportion of the Cost which has been provided from issues in India to replace the Disbursements on account of Territorial Charges at home.

COST of IMPORTS from India Sold in 1829-30, calculated at the Board's Rates of Exchange ; viz.

	TOTAL AMOUNT OF IMPORTS Sold in 1829-30.		Received for SALE OF EXPORTS in the Year 1828-29, and applied to the Purchase of the Investment.		NET AMOUNT Furnished in Repayment of Territorial Advances in England.	
	S. Rs.	£.	S. Rs.	£.	S. Rs.	£.
From Bengal	1,17,32,838 at 2/ per C.R.	1,361,008	5,10,410 at 2/ per C.R.	59,207	1,12,22,428 at 2/ per C.R.	1,301,801
— Madras	M. Rs. 12,03,225 at 2/3½	137,511	M. Rs. 26,641 at 2/3½	3,044	M. Rs. 11,76,584 at 2/3½	134,467
— Bombay	B. Rs. 1,24,330 at 2/3	13,987	B. Rs. 1,09,327 at 2/3	12,299	B. Rs. 15,003 at 2/3	1,688
		£ 1,512,506		74,550		1,437,956

I.  
REVENUE  
ACCOUNTS.  
—  
No. 7.

**No. 7.**

The above Amount of Supplies from Territorial Funds, calculated at a Mercantile Rate of Exchange, as ascertained from the Rates at which Bills were drawn from London on Calcutta at the time the Supplies were issued in India, being upon an average 1½ year from their issue in India to the realization of the proceeds of the Goods in England :

From Bengal (as above)	..	..	..	..	..	S. Rs.	1,12,22,438
From Madras ( do. )	Ms. Rs. 11,76,584, equal according to the proportion of fine silver in the several coins, to	..	..	..	..		11,03,530
From Bombay ( do. )	B. Rs. 15,003	do.	..	do.	..		14,072
						S. Rs.	1,23,40,030
						s. d.	at 19 '125
							1,086,180
Difference, reducing the Loss of £ 58,940 above mentioned, to £ 234,164							351,776

**Difference, reducing the Loss of £ 585,940 above mentioned, to £ 234,164**

East-India House,  
28th September 1831.

**(Errors excepted)**

**THOS. G. LLOYD,**  
**Acct. Gen.**

I.  
REVENUE  
ACCOUNTS.

No. 8.

## Appendix, No. 8.

An ACCOUNT of all SUMS Advanced from the TERRITORIAL or COMMERCIAL TREASURIES to the Commercial Agents in Bengal, on account of the Investment of RAW SILK, in each Year, from the Year 1809-10 to the latest Period to which the same has been received.

						Sicca Rupees.
1809-10	..	..	..	..	..	29,65,029
1810-11	..	..	..	..	..	22,69,001
1811-12	..	..	..	..	..	38,28,078
1812-13	..	..	..	..	..	40,82,810
1813-14	..	..	..	..	..	37,99,821
1814-15	..	..	..	..	..	12,92,876
1815-16	..	..	..	..	..	29,22,965
1816-17	..	..	..	..	..	37,34,633
1817-18	..	..	..	..	..	38,82,777
1818-19	..	..	..	..	..	43,02,593
1819-20	..	..	..	..	..	52,48,600
1820-21	..	..	..	..	..	67,53,985
1821-22	..	..	..	..	..	65,93,778
1822-23	..	..	..	..	..	59,92,109
1823-24	..	..	..	..	..	55,34,072
1824-25	..	..	..	..	..	61,84,665
1825-26	..	..	..	..	..	68,26,899
1826-27	..	..	..	..	..	70,95,450
1827-28	..	..	..	..	..	72,21,792
1828-29	..	..	..	..	..	70,20,725

---

S.Rs. 9,75,52,658

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The above are the Sums distinctly advanced for the provision of Raw Silk. The Investment of this article is further chargeable with a proportion of the General Commercial Establishments of the Company in India, as well as with a proportion of the Charges of the Factories where the Silk is provided. The amount of such Charges, in consequence of the provision of Silk being conducted jointly with that of other articles, cannot, in the greater number of instances, be ascertained otherwise than by assumption, and is not included in the above Account.

East-India House,  
3d October 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

Appendix, No. 9.

I.  
REVENUE  
ACCOUNTS.  
No. 9.

AN ACCOUNT of all SUMS written off as LOSSES, and of all OUTSTANDING BALANCES standing in the Books of the several Commercial Agents, from the Year 1809-10 inclusive, to the latest Period to which the same has been received. (On account of the Investment of RAW SILK.)

					LOSSES Written off.	Fines from Contractors for Silk, Sale of Old Materials, Chapman, &c. &c.		
					S.Rs.    f.    p.	S. Rs.    f.    p.		
1809-10	..	..	..	..	—	2,816	1	1
1810-11	..	..	..	..	—	8,561	0	11
1811-12	..	..	..	..	—	3,708	4	1
1812-13	..	..	..	..	—	5,650	14	9
1813-14	..	..	..	..	—	8,005	3	3
1814-15	..	..	..	..	32,088	4	0	
1815-16	..	..	..	..	—	3,142	8	10
1816-17	..	..	..	..	—	4,675	14	8
1817-18	..	..	..	..	—	1,570	11	10
1818-19	..	..	..	..	—	1,978	10	6
1819-20	..	..	..	..	—	5,987	3	11
1820-21	..	..	..	..	92,437	4	1	
1821-22	..	..	..	..	—	11,211	9	6
1822-23	..	..	..	..	—	12,005	4	1
1823-24	..	..	..	..	—	14,272	15	6
1824-25	..	..	..	..	—	5,677	8	4
1825-26	..	..	..	..	—	3,573	13	6
1826-27	..	..	..	..	—	16,053	2	9
1827-28	..	..	..	..	—	6,963	0	8
1828-29	..	..	..	..	6,780	10	7	
S. Rs.					1,31,306	2	8	
					Net Loss	..	S.Rs.	15,452    2    7

Mem :—The above are the Sums written off as Losses or Gains, which have been ascertained to attach exclusively to Raw Silk. In the other items written off in the period, it is not distinguished to what description of goods the several amounts have reference.

In the amount of Outstanding Balances upon the books of the Commercial Agents transmitted to this country, those Balances which may have arisen from Advances made on account of the provision of Silk, cannot be distinguished from Advances on account of other articles of investment provided at the several Commercial Residencies; a Return therefore of the Outstanding Balances of Raw Silk cannot be furnished.

East-India House,  
3d October 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.



I.  
REVENUE  
ACCOUNTS.

## Appendix, No. 10.

No. 10.

- (1.)—A SCHEDULE exhibiting in detail the Name and Designation of the several Taxes, Duties and Imposts, comprehended under the general Heads of Customs, Land Revenue, Sayer, Abkaree, Moturfah, Farms and Licenses, Salt, Opium, Marine Stamps; in the Accounts laid before Parliament:—Also,
- (2.)—A SCHEDULE describing and distinguishing the Provinces or Places in which the different Systems for collecting the Land Revenues at present prevail.

(1.)

## CUSTOMS:

Import Duties.  
Export Duties.

Transit Duties.  
Town Duties.

## LAND REVENUE:

Revenue Accounts  
1824-25.  
No. 1.

Collections from Military Bazars.  
Extraordinary Receipts, (namely),  
Interest on Arrears of Revenue and Tuckavy advances.  
Penalty on Arrears of Revenue agreeably to Regulation XII, of 1824.  
Kifayal Batta Fees, Fines and Forfeitures, refunded Charges of former Years.  
Sale of Lands, &c. &c.  
Fees for Researches and for the Committee of Records.

## SAYER.

## ABKARRY:

Revenue Accounts  
1824-25.  
No 11

Duty on Spirituous Liquors.	Duty realized on Licenses granted for the Sale of Opium.
Duty and Sale of Spirits at Sudder Distilleries.	Produce of Opium sold on account of the Akbary Department.
Duty on Rum under Section 20, Regulation X, of 1813.	Fifteen Days Forfeit on Licenses cancelled.
Duty on Puchoe.	Akbary Fines.
Duty on Taree.	Opium Fines on account of the Akbary Department.
Duty on Intoxicating Drugs, exclusive of Opium.	Miscellaneous.

## MOTURFAH: Tax on Professions.

## FARMS AND LICENSES.

## SALT.

## OPIUM.

## MARINE STAMPS.

(2.)

I.  
REVENUE  
ACCOUNTS.

No. 10.

**BENGAL DISTRICTS Permanently Settled :**

Backergunge.	Mymensing.	Dhurrumpore.
Beeerbhoom.	Nuddea.	Midnapore.
Burdwan.	Poorneah.	Behar.
Bullooah.	Rajishahye.	Patna.
Calcutta.	Rajmehal.	Ramghur.
Chittagong.	Rungpore.	Sarun.
Cooch Behar.	N. E. Rungpore.	Shahabad.
Dacca.	Sylhet.	Tirhoot.
Dinagepoor.	Tipperah.	Benares.
Hooghly.	Twenty-four Pergunnahs.	Ghazeepore.
Jessore.	Baugulpore.	Juanpore.
Moorshedabad.		

**BENGAL DISTRICTS not Permanently Settled :**

Agra.	Shahjehanpore.	Kumaon.
Bareilly.	Seharunpore.	Allahabad.
Delhi Tarnbery.	Moozuffurnuggur.	Cawnpore.
Etawah.	Allygurh.	Banda.
Furrukabad.	Boolundshahur.	Calpee.
Moradabad.	Suhseswan	Goruckpore.
N. D. Moradabad.	Saidabad.	Futtehpure.
Meerut.	Pillibheet.	

**MADRAS DISTRICTS Permanently Settled :**

Ganjam.	Rajahmundry.	Guntoor.
Vizagapatam.	Masulipatam.	

**MADRAS DISTRICTS not Permanently Settled, but chiefly under Ryotwar :**

Nellore.	Cuddapah.	Madura.
Chingleput.	Salem.	Dindigul.
Southern Arcot.	Coimbetoor.	Tinnevelly.
Northern Arcot.	Tanjore.	Malabar.
Bellary.	Trichinopoly.	Canara.

**BOMBAY DISTRICTS, all of which are under Systems of temporary Revenue Administration :**

Bombay.	Broach.	Carnatic.
Southern Concan.	Eastern Zillah, North of	Poonah.
Northern Concan.	Myhee.	Ahmednuggur.
Surat.	Ahmedabad.	Candeish.

East-India House,  
18 August 1831.

J. MILL,  
Examiner of India Correspondence.

I.  
REVENUE  
ACCOUNTS.  
No. 11.

## Appendix—

(No. 1.)—AN ACCOUNT of the AMOUNT of the LAND REVENUE and SAYER and 1800, 1810, 1820, and 1830 ; distinguishing each Head of Revenue, together with been collected ; so far as the same can be made out.

	LAND REVENUES.					Bengal, Behar, and Orissa.	Benares.
1789-1790 ..	Revenues Current	..	..	..	..	2,56,06,200	36,24,823
	Balances	..	..	..	..	9,67,989	3,94,241
	Not in Jumma	..	..	..	..	1,19,021	—
	Miscellaneous	..	..	..	..	1,42,996	—
						2,68,36,206	40,19,064
1799-1800 ..	Revenues Current	..	..	..	..	2,33,67,056	32,63,420
	Balances	..	..	..	..	31,82,947	4,28,287
	Not in Jumma	..	..	..	..	2,13,569	45,138
	Miscellaneous	..	..	..	..	38,422	—
						2,68,01,994	37,36,845
	Syer Duties	..	..	..	..	1,27,021	Nil.
	Abkaree Duties	..	..	..	..	5,90,686	Nil.
1809-1810 ..	Revenues Current	..	..	..	..	2,60,82,136	37,44,142
	Balances	..	..	..	..	11,45,267	1,27,108
	Not in Jumma	..	..	..	..	39,227	59,271
	Miscellaneous	..	..	..	..	84,645	—
						2,73,51,275	39,30,521
	Syer Duties	..	..	..	..	2,98,440	Nil.
	Abkaree Duties	..	..	..	..	8,19,367	3,23,863

—No. 11.

ABKAREE DUTIES in BENGAL, BEHAR, ORISSA, and in BENARES, for the Years 1790, the various Items of Charge, and the Rate at which each Branch of Revenue has

I.  
REVENUE  
ACCOUNTS.  
No. 11.

REVENUE CHARGES.	Bengal, Behar, and Orissa.	Benares.	RATE PER CENT.	
			Bengal, &c.	Benares.
Charges Collection .. .. .	11,54,288	1,07,985		
Zemindaree .. .. .	2,27,714	3,827		
Hill Rangers .. .. .	74,503	—		
Extraordinary .. .. .	5,97,876	17,690		
Revenue Board, and Offices under ditto ..	5,85,378	—		
Miscellaneous .. .. .	99,385	—		
	27,39,144	1,29,502	10·21	3·22
Charges Collection .. .. .	7,74,942	57,254		
Tehsildaree .. .. .	2,79,552	—		
Sebundy .. .. .	1,61,846	5,547		
Zemindaree .. .. .	—	3,827		
Extraordinary .. .. .	85,313	3,553		
Board of Revenue .. .. .	3,64,200	—		
Miscellaneous .. .. .	71,785	—		
	17,37,638	70,181	6·48	1·88
Charge on Account Syer .. .. .	Not shown.	Nil.		
.. Ditto .. Abkaree .. .. .	36,454	Nil.	6·17	
Charges Collection .. .. .	5,73,109	60,193		
Tehsildaree .. .. .	1,14,337	1,33,384		
Zemindaree .. .. .	43,308	3,828		
Extraordinary .. .. .	62,012	44,185		
Board of Revenue .. .. .	2,59,343	—		
Miscellaneous .. .. .	56,778	—		
	11,08,887	2,41,590	4·05	6·15
Charge on Account Syer .. .. .	15,907	Nil.	5·33	
.. Ditto .. Abkaree .. .. .	62,746	21,575	7·66	6·66

(continued on next page.)

I.  
REVENUE  
ACCOUNTS.

No. 11.

Appendix,—

The preceding Account—*continued.*

		LAND REVENUES.	Bengal, Behar, and Orissa.	Benares.
1819-20	..	Revenues Current .. .. .	2,71,99,225	43,80,451
		Balances .. .. .	22,71,617	36,058
		Not in Jumma .. .. .	4,37,171	39,207
		Miscellaneous ... .. .	1,36,059	—
			3,00,44,072	44,55,716
		Syer Duties .. .. .	5,94,677	8,189
		Abkaree Duties .. .. .	12,67,557	2,20,589
1828-29	..	Revenues Current .. .. .	2,66,35,715	44,85,725
		Balances .. .. .	29,49,358	3,34,296
		Not in Jumma .. .. .	4,37,411	55,401
		Miscellaneous .. .. .	8,60,698	1,20,410
(1829)-30	..		3,08,53,182	49,95,832
not received.		Syer Duties .. .. .	6,95,192	Nil.
		Abkaree Duties .. .. .	18,38,841	4,19,044

—No. 11—continued.

The preceding Account—continued.

I.  
REVENUE  
ACCOUNTS.

No. 11.

REVENUE CHARGES.	Bengal, Behar, and Orissa.	Benares.	RATE PER CENT.	
			Bengal, &c.	Benares.
Charges Collection .. .. .	7,91,110	1,11,778		
Tehsildaree .. .. .	26,006	52,902		
Zemindaree .. .. .	61,781	4,428		
Canongoes .. .. .	86,720	25,630		
Extraordinary .. .. .	1,10,933	13,871		
Commissioners in Behar and Cuttack .. .. .	2,07,550	—		
Board of Revenue .. .. .	2,56,104	—		
Miscellaneous .. .. .	1,02,929	—		
	16,43,133	2,08,609	5·47	4·68
Charge on account Syer .. .. .	62,362	4,375	10·48	53·42
.. Ditto .. Abkaree .. .. .	1,78,726	18,288	14·10	8·29
Charges Collection .. .. .	9,71,024	1,37,330		
Tehsildaree .. .. .	6,054	84,756		
Zemindaree .. .. .	67,892	—		
Canongoes .. .. .	95,876	37,926		
Committee of Records .. .. .	21,287	3,693		
Extraordinary .. .. .	1,50,350	55,804		
Boards of Revenue .. .. .	6,28,878	—		
Miscellaneous .. .. .	2,32,280	9,051		
	21,74,641	3,28,560	7·05	6·58
Charge on Account Syer .. .. .	46,338	Nil.	6·66	
.. Ditto .. Abkaree .. .. .	2,02,036	33,465	11·	8·

(Errors excepted)

JAMES C. MELVILL,  
Aud. of Indian Accts.

I.  
REVENUE  
ACCOUNTS.

No. 11.

## Appendix—

(No. 2.)—An ACCOUNT of the AMOUNT of the LAND REVENUE and SAYER and ABKAREE with the Charges and the Rate of Collection, upon the principle

	LAND REVENUES.	Ceded Provinces.	Conquered Provinces.
1809-10 ..	Revenues Current .. .. .	1,40,27,596	90,83,338
	Balances .. .. .	14,38,854	10,70,981
	Not in Jumma .. .. .	41,503	1,02,941
	Miscellaneous .. .. .	46,704	2,17,582
		1,55,54,657	1,04,74,842
	Syer Duties .. .. .	48,380	2,80,899
	Abkaree ditto .. .. .	5,95,651	1,38,657
1819-20 ..	Revenues Current .. .. .	1,82,23,863	1,14,51,287
	Balances .. .. .	7,22,104	6,21,800
	Not in Jumma .. .. .	1,84,081	1,37,184
	Miscellaneous .. .. .	1,31,216	65,738
		1,92,61,264	1,22,76,009

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 49

—No. 11.—*continued.*

DUTIES in the Ceded and Conquered Provinces under the Bengal Government, together adopted in the Account No. 1; so far as the same can be made out.

I.  
REVENUE  
ACCOUNTS.  
—  
No. 11.

REVENUE CHARGES.	Ceded Provinces.	Conquered Provinces.	RATE PER CENT.	
			Ceded Provinces.	Conquered Provinces.
Charges Collection .. .. .	2,26,323	2,50,319		
Tehsildaree .. .. .	4,97,205	4,25,079		
Canongoes .. .. .	73,492	38,204		
Zemindaree .. .. .	32,728	18,660		
Extraordinary .. .. .	48,229	58,974		
Board of Commissioners .. .. .	1,27,028	1,27,028		
Miscellaneous .. .. .	39,840	2,54,347		
	10,44,845	11,72,611	6.72	11.20
Charge on Account Syer .. .. .	1,329	27,733	2.75	9.87
— Ditto .. Abkarce .. .. .	39,949	11,139	6.70	8.
Charges Collection .. .. .	3,41,581	2,17,906		
Tehsildaree .. .. .	5,32,200	3,47,260		
Zemindaree .. .. .	91,415	24,754		
Canongoes .. .. .	91,971	44,925		
Extraordinary .. .. .	1,80,163	76,010		
Board of Commissioners (½) .. .. .	1,43,386	1,43,386		
Delhi Commissioners .. .. .	—	1,16,732		
Miscellaneous .. .. .	48,381	48,341		
	14,29,057	10,19,314	7.42	8.30

H

(continued)



The preceding Account—continued.

		LAND REVENUES.	Ceded Provinces.	Conquered Provinces.
1819-20 } continued }	..	Syer Duties .. .. .	89,812	7,14,428
		Abkaree ditto .. .. .	5,84,679	1,54,911
1828-29 ..		Revenues Current .. .. .	1,26,12,876	1,58,79,898
		Balances .. .. .	3,90,807	9,16,868
		Not in Jumma .. .. .	1,44,712	4,71,730
		Miscellaneous . . . . .	76,257	84,771
			1,32,24,652	1,73,53,267
		Sayer Duties .. .. .	81,698	78,711
		Abkaree ditto .. .. .	7,76,918	3,48,855

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 51

—No. 11—*continued.*

The preceding Account—*continued.*

I.  
REVENUE  
ACCOUNTS.  
—  
No. 11.

REVENUE CHARGES.	Ceded Provinces.	Conquered Provinces.	RATE PER CENT.	
			Ceded Provinces.	Conquered Provinces.
Charge on Account Syer .. ..	11,548	58,967	12·86	8·25
— Ditto Abkaree ..	55,100	14,682	9·42	9·48
Charges Collection .. ..	3,52,343	5,67,380		
Tehsildaree .. ..	4,32,141	5,85,372		
Canongoes .. ..	69,680	71,593		
Zemindaree .. ..	82,098	39,774		
Committee of Records .. ..	16,401	12,490		
Extraordinary .. ..	1,60,322	2,41,023		
Members Western Board .. ..	2,04,976	68,002		
Miscellaneous .. ..	1,50,335	2,04,725		
	14,68,296	17,90,359	11·10	10·32
Charge on Account Syer .. ..	12,831	*1,27,376	15·70	
— Ditto Abkaree ..	69,143	37,017	8·90	10·61

\* The large Expenditure incurred in this year, on account Canals, occasioned a considerable Charge in excess of the Sayer Receipts in the Conquered Provinces.

(Errors excepted)

JAMES C. MELVILL,  
Aud. of Ind. Accts.

## Appendix—

An ACCOUNT of the AMOUNT of the LAND REVENUE, SAYER and ABKAREE DUTIES, the same ; distinguishing each Head of Revenue, and specifying the various Items of 1810, 1820, and 1830.

	REVENUES.					
	Current Revenue.	Arrears of Revenue.	Moturpha.	Abkarry.	Farms and Licences.	TOTAL REVENUES.
	Pags.	Pags.	Pags.	Pags.	Pags.	Pags.
1790 ..	12,74,477	2,99,625	—	—	2,60,917	18,35,019
1800 ..	15,58,812	5,58,788	—	—	1,16,859	22,34,459
1810 ..	16,29,562	5,01,410	—	—	1,69,740	23,00,712
1820 ..	19,84,857	2,35,024	—	2,21,756	35,576	24,77,213
1830 ..	19,67,513	1,82,184	8,749	1,92,456	37,741	23,88,643

	CHARGES COLLECTING MOTURPHA.				CHARGES COLLECT-	
	Commission to Collectors and Assistants.	Native Establishment.	TOTAL.	Rate per Cent. of Charge.	Commission to Collectors and Assistants.	Native Establishment
	Pags.	Pags.	Pags.	Pags.	Pags.	Pags.
1790 ..	—	not stated	not stated	—	—	not stated
1800 ..	—	ditto	ditto	—	—	ditto
1810 ..	—	ditto	ditto	—	—	ditto
1820 ..	—	ditto	ditto	—	3,378	16,159
1830 ..	568	1,812	2,380	27,234	2,552	6,914

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 53

—No. 12.

collected in the ancient possessions of Madras, together with the Charges of Collecting Charge of Collection, as far as the same can be made out, for the Years 1790, 1800,

I.  
REVENUE  
ACCOUNTS.  
—  
No. 12.

CHARGES COLLECTION OF LAND REVENUES.						
Salary of Collectors and Assistants.	Commission to Collectors and Assistants.	Native Establishment.	Contingent Charges.	TOTAL.	Rate per Cent. of Charge.	
Pags.	Pags.	Pags.	Pags.	Pags.	Pags.	
1,31,635	72,505	—	—	2,04,140	11,125	.. 1790
34,760	52,823	1,16,356	1,12,222	3,16,161	14,149	.. 1800
31,300	13,884	34,287	7,173	86,644	3,766	.. 1810
51,737	8,691	59,715	21,570	1,41,713	6,384	.. 1820
41,990	3,577	90,379	14,280	1,50,226	6,988	.. 1830

ING ABKARRY.		CHARGES COLLECTING FARMS AND LICENSES.				
TOTAL.	Rate per Cent. of Charge.	Commission to Collectors and Assistants.	Native Establishment.	TOTAL.	Rate per Cent. of Charge.	
Pags.	Pags.	Pags.	Pags.	Pags.	Pags.	
not stated	—	—	not stated	not stated	—	.. 1790
ditto	—	—	ditto	ditto	—	.. 1800
ditto	—	—	ditto	ditto	—	.. 1810
19,537	8,810	47	3,777	3,824	10,749	.. 1820
9,466	4,918	28	400	428	1,134	.. 1830

JAMES C. MELVILL,  
Aud. of India Accts.

No. 13.

AN ACCOUNT of the AMOUNT of the LAND REVENUE, SAYER and ABKAREE DUTIES  
Charges of Collecting the same; distinguishing each Head of Revenue, and specifying  
the Years 1790, 1800, 1810,

	REVENUES.					
	Current Revenue.	Arrears of Revenue.	Moturpha.	Abkarry.	Farms and Licenses.	TOTAL Revenues.
	Pags.	Pags.	Pags.	Pags.	Pags.	Pags.
1790 .. ..	No Ceded or Conquered Possessions this year					
1800:						
Ceded and Conquered	14,87,902	1,26,920	—	—	22,073	16,36,895
Tanjore .. ..	5,38,191	71,738	—	—	—	6,09,569
1810:						
Ceded and Conquered	26,14,347	86,808	—	—	1,62,767	28,63,922
Tanjore .. ..	9,39,269	1,08,727	—	—	16,326	10,64,322
Carnatic .. ..	25,45,339	3,98,481	—	—	84,955	30,27,775
Countries ceded by the Nizam .. }	14,94,078	4,548	—	—	71,600	15,70,226
1820:						
Ceded and Conquered	21,46,858	1,43,461	—	48,225	26,623	23,65,167
Tanjore .. ..	7,89,784	33,368	—	8,561	7,926	8,39,639
Carnatic .. ..	26,47,350	2,63,152	—	68,273	28,529	30,07,304
Countries ceded by the Nizam .. }	15,37,266	44,984	—	93,355	5,825	16,81,430
1830:						
Ceded and Conquered	20,24,278	51,554	83,929	64,263	25,274	22,49,298
Tanjore .. ..	8,21,515	1,38,578	5,338	12,014	5,791	9,83,236
Carnatic .. ..	25,57,662	2,16,549	56,546	93,419	7,117	29,31,293
Countries ceded by the Nizam .. }	11,16,433	16,175	1,23,925	96,030	10,666	13,63,229

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 55

—No. 13.

collected in the Ceded and Conquered Possessions of Madras; together with the the various Items of Charge of Collection, as far as the same can be made out; for 1820 and 1830.

I.  
REVENUE  
ACCOUNTS.

No. 13.

CHARGES COLLECTION OF LAND REVENUES.					
Salary of Collec- tors and Assistants.	Commission to Collectors and Assistants	Native Establishment.	Contingent Charges.	TOTAL.	Rate per Cent. of Charge.
Pags.	Pags.	Pags.	Pags.	Pags.	Pags.
—	—	—	—	—	—
	31,031	1,98,194	—	2,29,225	14
	11,555	25,265	18,807	55,627	9,124
36,716	6,103	1,07,855	35,344	1,86,018	6,495
9,870	7,284	29,965	2,836	49,955	4,694
44,443	8,071	1,23,283	11,310	1,88,907	6,239
12,960	6,903	86,681	7,583	1,14,127	7,268
41,823	3,494	1,24,906	18,646	1,88,869	8,076
10,065	—	32,157	1,308	1,43,530	5,184
56,485	1,104	1,00,125	11,884	1,69,598	5,770
20,125	565	78,178	4,922	98,868	5,880
63,630	3,068	1,77,930	37,790	2,82,418	13,605
17,900	1,484	47,740	23,488	90,615	9,216
86,296	810	2,10,404	13,988	3,11,498	11,228
32,254	292	90,124	13,988	1,36,658	11,953

\* continued on next page.

56. FIRST APPENDIX TO THE THIRD REPORT OF THE

1.  
REVENUE  
ACCOUNTS.

Appendix—

No. 13.

The preceding Account—continued.

\* continued from preceding page.

CHARGES COLLECTING MOTURPHA.				CHARGES COLLECTING ABKARRY.			
Commission to Collectors and Assistants.	Native Establishment	TOTAL.	Rate per Cent. of Charge.	Commission to Collectors and Assistants.	Native Establishment	TOTAL.	Rate per Cent. of Charge.
Pags.	Pags.	Pags.	Pags.	Pags.	Pags.	Pags.	Pags.
—	—	—	—	—	—	—	—
—	not stated	—	—	—	not stated	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	—	ditto	—	—
—	ditto	—	—	628	1,268	1,896	2.777
—	ditto	—	—	—	—	—	—
972	—	972	1.157	698	—	698	1.086
—	—	—	—	—	—	—	—
844	524	1,368	2.419	1,278	96	1,374	1.470
1,804	—	1,804	1.456	1,046	84	1,130	0.176

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 57

—No. 13—continued.

The preceding Account—continued.

I.  
REVENUE  
ACCOUNTS.

No. 13.

CHARGES COLLECTING FARMS AND LICENSES.				
Commission to Collectors and Assistants.	Native Establishment.	TOTAL.	Rate per Cent. of Charge.	
Pags.	Pags.	Pags.	Pags.	
No Ceded or Conquered Possessions this Year.				1790.
—	not stated	—	—	1800 :
—	ditto	—	—	Ceded and Conquered.
—	ditto	—	—	Tanjore.
—	ditto	—	—	1810 :
—	ditto	—	—	Ceded and Conquered.
—	ditto	—	—	Tanjore.
—	ditto	—	—	Carnatic.
—	ditto	—	—	{ Countries ceded by the
				{ Nizam.
18	2,851	2,869	10.776	1820 :
—	—	—	—	Ceded and Conquered.
—	—	—	—	Tanjore.
—	—	—	—	Carnatic.
—	—	—	—	{ Countries ceded by the
				{ Nizam.
—	8,205	8,205	32.464	1830 :
—	—	—	—	Ceded and Conquered.
—	128	—	1.798	Tanjore.
—	—	—	—	Carnatic.
+	—	—	—	{ Countries ceded by the
				{ Nizam.

JAMES C. MELVILL,  
Aud. of India Accta.



I.  
REVENUE  
ACCOUNTS.

No. 14.

## Appendix, No. 14.

AN ACCOUNT of the AMOUNT of the LAND REVENUE, SAYER and ABKAREE DUTIES, collected in the Ancient Possessions of Bombay, together with the Charges of Collecting the same; distinguishing each Head of Revenue, and specifying the various Items of Charge of Collection, as far as the same can be made out; for the Years 1789-90, 1799-1800, 1809-10, 1819-20 and 1829-30.

	REVENUES.			CHARGES.				Rate per Cent.
	Land Revenue.	Sayer and Abkaree.	TOTAL.	Salaries of Collectors and Assistants.	Salaries of Establish- ments.	Contingencies.	TOTAL.	
	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	
1789-90 ..	6,54,746		6,54,746	75,704			75,704	11 '56
1799-1800 ..	2,70,465	3,64,071	6,34,536	—	89,864	—	89,864	14 '16
1809-10 ..	3,96,853	7,68,439	11,65,292	—	1,59,638	—	1,59,638	13 '7
1819-20 ..	3,07,043	6,68,700	9,75,743	—	2,15,929	—	2,15,929	22 '13
1829-30 ..	14,28,249	4,14,544	18,42,793	58,784	1,26,957	63,646	2,49,387	13 '53

*Mem.*—The Charges of collecting the Sayer, &c. merge in those of collecting the Land Revenue; the various items of which are not shown in the Accounts received from Bombay from 1789-90 to 1819-20.

The apparent difference between the Amount of Revenue derived from the Ancient Possessions in 1819-20 and 1829-30, is occasioned by the Revenues of Surat being stated in the former year partly under the heads of Ceded and Conquered, and partly as Ancient Possessions; whilst in the latter year no separation is made in the Accounts sent home; the whole Amount therefore for 1829-30 is stated under Ancient Possessions in the above Account, which necessarily affects the comparative view, and occasions an apparent discrepancy in the Rates of Charges of Collection.

(Errors excepted)

East-India House,  
18th October 1831.JAMES C. MELVILL,  
Aud. of India Accts.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

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AN ACCOUNT OF THE AMOUNT OF THE LAND REVENUE, SAYER AND ABKAREE DUTIES, collected in the Ceded and Conquered Possessions of Bombay, together with the Charges of Collecting the same; distinguishing each Head of Revenue, and specifying the various Items of Charge of Collection, as far as the same can be made out; for the Years 1789-90, 1799-1800, 1809-10, 1819-20, and 1829-30.

	REVENUES.			CHARGES.				Rate per cent.
	Land Revenue.	Sayer and Abkaree.	TOTAL.	Salaries of Collectors and Assistants.	Salaries of Establishments.	Contingencies.	TOTAL.	
	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	
1789-90 .. .. .	No Ceded and Conquered in this year.							
1799-1800 : Ceded Provinces of Malabar	19,06,304	4,413	19,10,817	—	4,49,526	—	4,49,526	23.52
1809-10: Possessions ceded by the Gujowar .. .. .	11,88,890	2,22,318	14,11,208	—	85,303	—	85,303	6.
Possessions ceded by and conquered from the Mahrattas ..	18,64,120	2,93,918	21,58,038	—	75,503	—	75,503	3.5
1819-20: Possessions ceded by the Gujowar .. .. .	29,24,393	1,73,736	30,98,129	—	2,03,747	—	2,03,747	6.58
Possessions ceded by and conquered from the Mahrattas ..	61,00,400	7,53,353	1,14,42,109	Six months charges only; the remainder being mixed up with the general expenditure cannot be shown.	6,11,232	—	9,82,659	8.60
Recently Conquered .. .. .	45,88,356				3,71,427			
1829-30: Possessions ceded by the Gujowar .. .. .	27,51,418		27,51,418	92,795	1,70,749	1,01,942	3,65,486	13.28
Possessions ceded by and conquered from the Mahrattas ..	1,01,29,038	13,94,012	1,15,23,050	4,28,527	9,27,298	1,77,765	15,33,590	13.30

Mem.—The Ceded Province of Malabar was transferred to Madras Presidency, from 1st July 1800. The Charges of collecting the Sayer, &c. merge in those of collecting the Land Revenue, the various Items of which are not shown in the Accounts received from 1789-90 to 1819-20.

East-India House,  
18th October 1831.

(Errors excepted)

JAMES C. MELVILL,  
Aud. of India Accts.

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**II.**

**T R A D E.**



## Appendix, No. 16.

## SUSPENSION OF THE COMPANY'S TRADE.

EXTRACT Canton Secret Consultations, the 6th January 1830.

II.  
TRADE.Suspension of  
Company's Trade.Canton Secret  
Consultations.Part of a Memorial sent by Governor Le to the Emperor, on the 3d of the 11th moon,  
(November 28th, 1829.) Copy received January 4th, 1830.

AGAIN, the ships of all foreign nations that come to Canton to trade, first anchor at Macao and Lintin, from whence they proceed by Bocca Tigris to Whampoa, where they moor and commence the delivery of their cargo. This is the old usage. The languages of these foreigners are not understood by each other, and their manners are different. There are the Americans, the Indian merchants, the Spaniards and the Dutch. Though none of them are perfectly tractable and submissive, still these are but a little perverse. But the English foreign merchants are exceedingly fierce and unruly. On referring to old records it appears, that in the thirteenth and nineteenth years of Kea King, and in the first year of the present reign, they repeatedly made a disturbance, and delayed a long time before they opened their hatches to deliver their cargoes. Of late the Hong merchants have been much embarrassed, and frequent failures have taken place. In the seventh year, Tungtae Hong shut up and stopped; in the eighth year, Folung shut up and stopped, and both Hongs were largely indebted to foreigners, who accused them to government, and a decision was given according to law to pay in a certain number of years, as has been clearly reported to your Majesty, and placed on record. These foreigners regard nothing but gain; they were discontented at paying them the principal without interest. During the spring and summer of this year Tunsang Hong became very largely involved in debt to foreigners, who have demanded but not obtained payment. In the sixth moon, the English chief Plowden and others, presented at my court an impeachment against Lew Ching Shoo, the hong merchant of Tunsang Hong, whose native place is in Ganhwery, and who had gradually carried off money thither. They requested that I would send a communication to the government there to bring him back, &c.; after this I did write to that province to take Lew Ching Shoo, and send him to Canton, to be prosecuted according to the facts of the case. Of the said foreign ships there had arrived from the 9th moon to the 6th day of the 10th moon, in all twenty-two sail. One of these had been dismasted in a gale of wind at sea, and went up to Whampoa to refit; all the rest remained outside, anchored in Macao Roads, and deferred entering the port. On the 9th of the 9th moon the said chief Plowden and the others sent a petition containing various propositions, the style and the measuring of which were far from perspicuous. The general purport was, that the Hong merchants having successively shut up and stopped, being involved in debts to foreigners, they pretended they wished to adjust and settle matters, and they earnestly requested that hereafter no security merchants should be employed, nor any compradors, and that at Canton they might themselves hire warehouses, in which to store their foreign goods; all of which requests are very opposite to the regulations heretofore

heretofore fixed, and designed to prevent natives and foreigners from connexions together. On ten thousand accounts these things should not be granted. But a topic mentioned in the petitions that the customary money levied on foreign ships, being the same on all, whether the ships were great or small, should be altered, and the ships should pay according to their size, seemed worthy of consideration, and some change made to show compassion, still, as that was a regulation which had long been fixed, it was right to wait till the case was reported to the Emperor and deliberated on. I ordered the two Sye to consult on the whole subject, and distinguish between what should be granted and what refused, and to report to me. I examined into the subject, and decided on the several topics, and issued a proclamation in detail. I also commanded the Hong merchants to enjoin my commands on the said chief and others, that they might yield implicit obedience to the orders of government, and not irregularly indulge sinister selfish expectations. But the said foreigners still stared about, and deferred entering the port. Again, on the 26th day of the 10th moon, they presented a petition, in which they dragged in the former propositions, with reiterated whining and insulting disputation. The phraseology was not near common sense and reason; I immediately gave them a severe reply and injunction. I find that of late years it was only in the eighth of Tuon Kwang, that the English ships arrived early, and unloaded during the 9th and 10th moons. In the fifth, sixth and seventh years, during the 11th and 12th moons, they were still arriving in succession in Macao Roads; at this time, if after the injunctions they have received, they indeed see their error and repent, and during the 11th moon enter the port, it will still not be too late to trade, and tranquillity may be preserved as usual; but if, because their wishes are not acceded to, they pertinaciously oppose and make difficulties, spreading reports that they do not wish to trade, but will take their goods home again, their conduct assumes the appearance of contemptuous resistance, and arises from no other than a special design to coerce us, by the circumstance of their paying much duty. How can the Celestial Empire endure their cunning craftiness. If from this all intercourse be cut off, and they be disallowed to trade, it is what the said foreigners have brought upon themselves, and is not treating them with too much severity; when that period arrives I shall report again, and request your Majesty's pleasure, that I may act in obedience thereto. As to the said foreign ships anchored at Macao, I from time to time inquire about and examine concerning them, and find that they are all quiet, but the foreigners' disposition is a huge abyss; it is absolutely necessary to be prepared against them, I have sent secret orders to the Shuriy Sye Te-tuh (or port admiral) to order the several military stations in the neighbourhood of Macao and Sheang Shean, to have the military in readiness, and without exciting any noise or appearance, to have every thing perfectly prepared, lest by any possibility the said foreigners should do as they did in the 13th year of Kea King, land troops and endeavour to usurp Macao; if so, I will head the military myself, and joining with the admiral, advance upon them by two ways, and exterminate them. I consider that this business has arisen about trade and money, and is not very serious or very important; but as it relates to outside foreigners, and affects the honour of the country, I have thought it right to write with firm composure, with secret activity and caution, and to declare myself in language just, correct, and stern. I have been careful not to show haste and violence, so as to provoke a rupture, and at the same time was determined not to stoop to foreign feeling, and lose great respectability. I have repeatedly and maturely consulted with Soo the Fooyuen, and our opinions agree. Thus, with profound respect, I have taken the circumstances connected with the English foreign ships not entering the port, and the orders issued to guard against them, and uniting with Soo the Fooyuen of Canton, do according to the facts, secretly report them for your sacred Majesty's inspection; presented with profound respect.

## II.

### TRADE.

Suspension of  
Company's Trade.

Canton Secret  
Consultations.

## II.

EXTRACT Canton Secret Consultations, the 25th January 1880.

## TRADE.

Suspension of  
Company's Trade.Canton Secret  
Consultations.

The following translation of a document stated to be the Emperor's reply to the Viceroy, has been obtained by Dr. Morrison privately.

ON the 20th of the 12th moon his Majesty's commands were received. What Le-Rungpin has reported is very right, if the said nation gradually becomes sensible and repents, and enters the port, there may be mutual tranquillity and no disturbance; but if they make perverse difficulties because what they desire is not conceded, don't allow them to open their hatches, but expel them with severity.

As to the same due being levied on all the said nation's ships on entering the port, whether great or small, and the request that a difference may be made—this may be done. Let the said Governor deliberate carefully and report. Respect this.

January 23d.

EXTRACT Canton Secret Consultations, the 25th December 1829.

To His Excellency the Hoppo of Canton.

WE, the President and Select Committee, to whom is entrusted the management of all the various interests of the East-India Company, as well as a general superintendence over all British Trade in China, take leave to present to your Excellency our congratulations on your appointment to the important and weighty charge which the Emperor has conferred on you. We confidently trust that your Excellency will examine carefully into the situation of the foreign commerce of Canton, which it is your province to guard and protect, and which cannot flourish or decay without attaching to your Excellency's name honour and credit with his Majesty in the one case, or the heaviest responsibility in the other. We regret that it has become an unpleasant, but a paramount duty in us to declare, and to point out clearly to you, that the foreign trade of China, which has for some years been gradually sinking under the heavy exactions and injurious treatment of your predecessors, has now been almost wholly driven from the port, and that foreign ships which formerly visited Whampoa annually in great numbers, now hover about outside the river, where they carry on their trade free from the vexatious extortions which drove them to this alternative. These ships belong to all nations, but acknowledge the control of none of the authorities, either of their own country or of China; and cannot be driven away or forced by any power which you can employ, except conciliation and compliance with our just and reasonable requisitions. Even we, the Honourable Company's representatives, who hitherto have never suffered those under our orders to deviate from the laws and regulations of the port, or in any manner to defraud the revenue, but regularly came in, and year after year prohibited smuggling, and assisted good government by suppressing disturbances, and carrying on a fair and honourable trade: even we, who having always acted uprightly and justly, had a right to expect justice in return, have been treated only with injustice and contempt, till we can no longer endure such multiplied grievances, and have been forced to remain beyond their reach. We have at this moment twenty large ships, and two of smaller class, anchored in different places, wherever we please, among the islands outside; other ships, moreover, belonging to us, will soon arrive. Those now here contain property to the value of many millions of taels, upon which the imperial duties would amount to many tens of thousands of taels. They are managed and defended by several thousand officers and seamen, whose hearts and hands are guided by our wishes, and restrained by our power. It is evident some very weighty and serious grievance must have forced

us to the adoption of such a resolution as giving up a trade in which so many men and so much property is engaged, till it can be resumed upon a more secure and honourable basis. Complaints do not emanate from us alone. Scarcely any interest in China, hardly one foreign nation, but has sent again and again petitions on the subject to his Excellency the Viceroy while occupying your vacant seat. It is notorious to every thinking mind that the old system is worn out; even the Viceroy has declared it in a public document to be "sickened and debased," and has expressed his anxiety to repair it in some particulars; but though he has issued repeated edicts and given reiterated orders, no one attends to them, nothing is accomplished, and we have shown him clearly for what reasons. It would be an useless multiplying of words to go over again all the topics we have urged, and the arrangements we have adduced: they are all in the possession of the Viceroy and the Hong merchants. Our exposition of the evil has been clear, our demands just and reasonable; but they have not been conceded. Now, therefore, we are compelled to state to your Excellency respectfully, but firmly and distinctly, that the trade confided to your care must be placed upon a better footing, our reasonable representations attended to, and our demands granted, or it will never return to the usual and legal channel through which it has for many years flowed for the benefit of this country, to the very great advantage of the imperial revenue, and the credit and honour of the office which you now fill. As one part of your Excellency's duty is to collect and remit to his Majesty the revenue arising from this source, to you must the responsibility attach of the almost total and entire failure which has now occurred, unless you can devise some means of restoring it. It is in vain to expect that soothing proclamations alone will restore the trade, and with it the imperial revenue: more vain still to hope that angry words and high-sounding threats can frighten us, or force us to compliance with regulations which have been tolerated and groaned under till they can be borne no longer; and a further perseverance in which may drive us to extremities, which we are most anxious to avoid. Some points which are of most pressing moment, indeed most essentially necessary to be granted, we shortly enumerate.

1. A great addition must be made in the number of mandarin merchants, or we must be allowed to trade freely with whom we please. New men will not offer to join the Hong, unless they have assurance that they may retire at their pleasure. They will not offer so long as they are forced to secure ships, thereby answering for the conduct of people whom they cannot control, and being in consequence exposed to the extortions and indignities of the government officers in the Hoppo department. New men will not come in when they are forced to succeed to a load of previously contracted debts and duties; therefore,

2. The arrears of debts to foreigners must be immediately paid up, and the duties arranged for, satisfactorily to the public. In aid of this regulation we propose,

3. That Lew-Shing-Shoo must immediately be brought back, and be forced to pay off his debts: if his debts are thrown on the others they will break also, and the case be worse.

4. The new Hong, as also the old, must henceforth be responsible only for their own debts; not for those of any other Hong. All duties being levied in a few days, as now decided, there can be no accumulation from one Hong failing, which will ruin the others.

5. Foreigners must be allowed to rent warehouses, and have secure places in which their goods may be stowed, as they cannot trust their property in the hands of merchants, some of whom have shown themselves capable of absolute theft.

6. The amount of port charges must be generally and greatly reduced, and it must be proportioned to the size of the ships. The amount paid for measurage alone is

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## II TRADE.

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Suspension of  
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## II.

## TRADE.

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enough, and more than enough. The enter-port fee or present must be wholly discontinued. If this is not done, ships, both large and small, will hover about the coast, and, besides smuggling, create disturbances.

These propositions must all be granted together, not one picked out and conceded, while the others are refused. They are so connected one with the other, that their force and value depend upon their union. By preserving them entire these difficulties under which the trade suffers may be overcome; by severing and dividing them, little or nothing can be attained.

We have thus long deferred addressing your Excellency, in the hope that so soon as you had examined into the state of the commerce confided to your care, you would have taken such measures as can alone raise it from the abyss of ruin into which it has fallen. If nothing effectual be done, if our representations do not meet the attention they evidently deserve and imperatively call for, we shall immediately lay our complaints before his Majesty the Emperor of China. We have abundant means in our power to make our case known at Peking; we shall at once commence our preparations. We cannot but rely with confidence that the high authority to which we appeal will not suffer us to be further oppressed by the provincial officers, will not calmly submit to the loss of the large revenue derived from our trade; nor will the conduct and management of those officers be shielded from a strict and rigorous investigation.

Our address to his Majesty must detail the causes which have brought destruction to the trade, and consequent ruin to the revenue. The extortions and grievous exactions of the government officers of the Canton province will be placed first and foremost amongst these. The refusal of the Viceroy to receive our petitions, thereby shutting against us the gate of justice, will follow. Then we shall show that the host of ships which are driven from the port by the causes before enumerated cannot be driven from the coast, but remain, in defiance of the government, and trading through the connivance of its officers, an emblem at once of their weakness and their venality. We shall show to his Majesty that his revenue, in lieu of being carried to the imperial treasury, goes, and for years past has gone, to the enrichment of the local officers, who have fattened upon the ruin of a trade it is their duty to protect. We shall show how this mismanagement will throw out of their daily food thousands and tens of thousands of Chinese people, who live only by means of the trade which is now in danger of being lost; and we shall exhibit the reasons why his Majesty's order to make more Hong merchants has not, and will not, be complied with. Other topics we shall add if occasion require their mention. We shall now give your Excellency a fair opportunity of rendering this course, on our part, unnecessary; but we shall by no means desist, in the interim, from making those preparations, which we feel confident will ensure our complaints and grievances reaching the Imperial Throne, and bringing to a just retribution those whom we are most anxious to treat with that deference which their elevated station demands. With the greatest respect we lay this statement before your Excellency, and remain, &c. &c.

(Signed for the President and Select Committee.)

Macao, 24th December, 1829.

EXTRACT Canton Secret Consultations, 6th January 1830.

Hoppo Chung's reply, dated 12m. 10d. Received 6th January 1830.

CHUNG, Commissioner of Duties, &c. to the Hong merchants, &c.; the English chief Plowden and others have presented a petition, saying,

[Here follows a copy of the Committee's document.]

This coming before me, the Hoppo, I give according to the facts, the following official reply. The said chief and others some time ago repaired to the Governor's, and suggested certain commercial regulations, which the Sze officers were directed to deliberate about, and distinguish what should be granted and what refused. The Governor then ordered the Hong merchants to communicate the commands of government to the said foreigners, that they might obey accordingly. This is on record. Now the said chief, and others, have stated various topics, on carefully examining which, they appear the same as the Governor directed the Sze to deliberate about, and say what should be granted and what refused. Among these there were some that it was proper to report to Court, and request the imperial pleasure. The Hong merchants and custom-houses have already been instructed concerning these affairs, and ordered to obey. I have met with the Governor, and with all our hearts consulted and fixed on the regulations, in the full hope of continuing commercial intercourse with remote foreigners, and stooping to exercise liberality and compassion. The said chief, and others, ought in reason to trade as usual, and quietly wait for the management of government. How can they obstinately persist in their former consultations, and again, and a fourth time state them. The Celestial Empire's harvests are abundant, and her wealth vast; the national treasury is quite full, and does not originally depend on the paltry cargoes of the foreign ships of various nations to supply revenue. But as they have already from remote parts passed over our immense ocean, and come to Canton to trade, I, the Hoppo, will not fail to extend largely to them the imperial benevolence, and stoop and condescend to exercise compassion: but if they desire to change old regulations, scheming after their own convenience and sinister purposes, it will decidedly be impossible to allow them to have the control, inducing irregular, fallacious, and wild expectations. Just as the said chief and others say, that they have at Canton twenty ships and more, all outside the port, &c. This year the Company's ships in the seventh moon arrived at Macao, and up to the present time, a space of four months, have lingered about at sea, deferring to enter the port. The Governor has repeatedly issued pressing and perspicuous commands, but the said foreigners still retain the same mind, and gaze about with expectation, willingly exposing themselves to alarms from the winds and waves. From which it may be seen, that it is by no means the case, that the Celestial Empire does not extend to them tender treatment, but really it appears the said foreigners themselves do not consider trade of importance, but vainly protract the time. Concerning all the topics suggested in the said chief's petition, it is right still to obey the regulations deliberated and settled by the Sze officers, at the command of the Governor, and in every case act upon them. Whilst I accommodate myself to the feelings of foreigners, I will examine carefully, should the said foreign ships go to Whampoa to trade, decidedly will not induce the Hong merchants and custom-houses to confuse in the least degree the newly-fixed regulations. There is no use in the said chief and others making many representations and entreaties. Besides giving publicly this official reply, I command the Hong merchants to communicate these orders to the said chief, &c. that they may act in obedience thereto. Oppose not. A special edict.

Taoukwang, 9th Year, 12th Moon, 10th Day, }  
(4th January 1830.) }

II.

TRADE.

Suspension of  
Company's Trade.

Canton Secret  
Consultations.

## II.

## TRADE.

Suspension of  
Company's Trade.

Canton Secret  
Consultations.

## EXTRACT Canton Secret Consultations, 11th January 1830.

To His Imperial Majesty, the Emperor of China :

WE, the President and Select Committee, appointed by authority to conduct the affairs of the English nation in China, approach with reverence to lay before your Imperial Majesty a statement of wrongs and grievances under which we suffer, from the harsh and unjust treatment of the officers of the Canton government.

Should we appear deficient in that respectful and becoming style of address which custom prescribes in laying our petitions at the feet of your Majesty, we trust that the fault will be attributed to the limited knowledge which our secluded situation induces, not to any, even the slightest deficiency in that respect most due to a sovereign of so much power and dignity, but more particularly to one so renowned for the justice and benevolence which mark his rule.

We are subjects of a mighty King, who governs a great and powerful nation, in peace and amity with all the countries of the earth ; a Prince whose parent has endeavoured to cultivate friendly relations with your Imperial Grandfather, by embassies, bearing letters and presents. Our King holds in much regard the commercial prosperity of his own territories and of China. We resort to this country solely for purposes of trade ; we have no other objects ; we bring from divers and remote countries the products peculiar to each, which we exchange for those grown in the dominions of your Imperial Majesty ; from this interchange both parties derive mutual benefit. When either ceases to reap advantage, the other likewise suffers ; trade consequently withers, and there is danger of its entire failure. For a long series of years this commerce has been continued, it has annually produced a large amount of duties for supply of the imperial treasury ; it has sometimes been thriving, and at others occasionally suffered under the maladministration of provincial officers.

We have always sedulously refrained from any illegal traffic, and have prevented such by our orders. We revere the laws of the empire, and give every aid to the collection from our ships of the imperial revenue ; this the government officers are fully aware of.

Intercourse between ourselves and the natives has been restricted to a few mandarin merchants ; these have gradually been diminished in number, till they have become too few, and too poor to conduct the extensive concerns of the whole foreign trade. The reduction in number, and the poverty of these men, has arisen from the extortions of the officers entrusted with the government of the province of Canton ; the exorbitant demands of these officers are not restrained by reason ; they are too far removed from court to fear the examination of superiors ; their own rapacity has become their only guide. The mandarin merchants, few in number and terrified into compliance, readily pay all that is required ; then by their contrivances under some guise, the burthen falls upon the foreign merchant. By such means our property is consumed, our trade is reduced, and our situation rendered so grievous, that we seriously apprehend the entire extinction of all commercial intercourse. The real imperial duties we do not complain of, we pay them cheerfully, and have never considered it a hardship to do so ; but the capricious and arbitrary exactions of the government officers we cannot bear without complaint. They entail certain ruin on all within their influence. We had to thank your Imperial Majesty for issuing a command that more merchants should be added to the remaining few ; many months have elapsed since this order was received, and no new merchant has been declared ; men will not join the Hong in the certainty of being exposed to so many exactions.

We have on many occasions represented all the circumstances to the Viceroy, he has acknowledged that the old system has become "*stagnated and debased*," but has disregarded any means of improvement we suggested. He has now shut the door of justice

justice against us, has forbidden our sending in more petitions, and has threatened to throw them back upon us. Could we have obtained redress from the local officers, we should not have resorted to the present course; but justice is denied to us here, we have no alternative but to lay this statement at the feet of your Imperial Majesty.

The extortions of which we complain have gradually driven from the port many ships of all nations, who remain outside the river, and by connivance of the local officers carry on an illicit trade, greatly adding to their wealth by means of clandestine fees, but injurious to the imperial revenue, to the extent of the whole legal duty. The situations in which these officers are placed for the protection of commerce they turn to its destruction, and compass only their own advantage.

The mandarin merchants, who have been driven to bankruptcy by the causes before enumerated, are still indebted to foreigners in a very large amount. As these merchants were reduced to ruin in a great measure by the government officers, to the government must foreigners look for payment. The debts of bankrupt merchants the others have been ordered to discharge, but many of these have become ruined in succession, till there are three men only remaining who are not reduced to almost absolute indigence; even these will be unable to pay the arrears of duties and the extortions of mandarins also.

Among other difficulties attendant upon the foreign commerce of Canton, is a large amount demanded equally from all ships whether large or small, and bearing the name of "*Present*" or "*Enter-port Present*" money. This is in addition to the legal charge for measurage. As it is not reasonable that large and small ships should pay the same, and as this charge from diminished profits has become too heavy to be easily borne, we entreat the consideration of your Imperial Majesty to order the entire remission of this "*Present*," and thereby retrieve the suffering commerce. Thus the revenue will be rather increased than diminished by the additional number of ships which will come in.

The difficulties we have now enumerated, and many more too minute to detail, but most grievous in their effect, have obliged us this season to continue outside the port, where the whole of our immense fleets have remained beyond the influence of this government for many months, during which time we have in vain sought to obtain justice from the Viceroy. To whom then can we apply, but to your Imperial Majesty, the fountain of justice? To you we look with confidence that our appeal will not be made in vain, and we trust that the valuable and extensive trade which has for so many years flourished to the mutual benefit of two rich and powerful countries, will not be sacrificed to the temporary enrichment of a few government officers, but that it will be raised again to a firm and healthy state, and remain a lasting evidence of the justice, the sound policy, and the paternal regard of the august and renowned monarch under whose dominion it is our good fortune to be placed.

With the highest veneration and respect, we lay this petition before your Imperial Majesty.

(Signed) By the President and Select Committee.

Macao, 11th January 1830.

## II.

### TRADE.

Suspension of  
Company's Trade.

Canton Secret  
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## EXTRACT Canton Secret Consultations, 11th January 1830.

Address to the Viceroy and Hoppo of Canton.

To be inclosed in a separate letter to each of them, with a sealed copy of our address to the Emperor, in the same envelope.

WE, the President and Select Committee, lay this statement before your Excellency.

As our frequent and urgent remonstrances to the high authorities of the Canton province have produced no effectual remedy for the evils which have been admitted to exist, and which must speedily bring ruin on the foreign trade of the empire, we are driven to the alternative of detailing our grievances to his Imperial Majesty the Emperor of China, in the accompanying petition, which we now beg your Excellency to forward to the Court of Pekin. Several other addresses will also be prepared, and these we shall shortly send by other modes of conveyance fully within our power.

As commerce is valuable only when conducted on just and liberal principles, and as justice has been denied to us, we determine to remove our ships from China. So soon as they can be made ready for sea, we shall give orders to them to take up their anchors and sail away. Not only do we order away the ships of the Company from the port, from this day all ships belonging to our nation, from wherever they may come, will be excluded.

We shall without delay transmit a full statement of all the circumstances to our superiors in England, and to the highest authorities of British India, and it will remain for them to demand the adjustment of the claims of British subjects on the mandarin merchants, and for which the provincial government is responsible, as well as to apply for the large property of the East-India Company still remaining in their charge.

We have now done our duty; we have left no means untried to obtain justice, but have not succeeded. We sincerely wish for the restoration of commercial intercourse, but will stoop to no dishonourable compromise. The whole responsibility for whatever consequences must fall, and justly fall on the officers of the Canton government, who have driven us to these extremities.

We take our leave, and are your very humble servants,

(Signed) By Committee.

Macao, 11th January 1830.

## EXTRACT Canton Secret Consultations, the 25th January 1830.

The following Edicts have been received from the Viceroy and Hoppo.

Governor Le, to the Hong Merchants, dated 20th January 1830. Received Saturday 23d.

LE, Member of the Military Board, &c. to the Hong Merchants:

On the 24th of the present moon, the English chief Plowden and others presented a statement, saying,

[Here follows the Committee's last letter.]

These have come before me authenticated; on this occasion the English chief Plowden and others, in sending and presenting a petition under cover, have inclosed a sealed memorial, begging me to forward it to the Emperor, but the law contains this regulation, "Foreign nations having business to suggest, and make requests about, must all send a special envoy, and deliver the same to governors and fooyuens, to communicate

municate the same for them." Again, " Foreign nations, in one and all of their affairs, are disallowed to take upon themselves to report abruptly, by a side-path, their affairs in the Imperial presence, &c."

The Celestial Empire's fixed rules are strict and perspicuous ; how dare to confuse or overpass them ! Therefore, all the outside foreign nations' kings, who respectfully introduce memorials, must present them to governors and fooyuens, who must previously report to the Emperor, and request to know whether they may be sent into Court or not, and afterwards obey according to the imperial will : it has never been the case that a nation's king, or any inferior, would abruptly present to the imperial inspection a sealed document.

The said chief and others are ignorant of the Celestial Empire's government, and therefore, in consideration of this, no deep inquiry is instituted ; but it is ordered that the memorial enclosed in the petition be sent to the Hong merchants to return it.

As to what the said chief and others before stated in several particulars, there were some that could be granted, which have been deliberated on and conceded. As that Linching Shoo of Sung Shong Hong, who is indebted to foreigners should be recalled ; I, the Governor, flew to send a despatch to Ganhway to seize and send him, and last month I received the Fooyuen of Ganhway's answer, saying that Linching Shoo's native place was the city Yung, but he had removed from his native place to the region or province of Keangwing. Again, I, the Governor, sent a flying despatch to the governor of the two Keang, that he might order him to be sent on to Canton.

Again, as to making new Hong merchants : I have strictly prohibited the extorting of fees, and there are people who have requested to be made.

Again, as to Hong merchants' debts to foreigners, I have already granted, that they should, meeting together, make up their accounts and claim payment. Again, as to paying duties at the time, I have, after consultation, ordered the Hong merchants to pay with haste, and disallowed going beyond the time appointed. Again, as to the enter-port fee, which has heretofore been levied the same as the regular duties, and sent to Court, and not by any means been received by the officers of the local government, which rule has been (obeyed) submitted to for a long time, by all natives, without any request being ever made to diminish it. This the said chief and other requested should be modified, and levied according to the size of the ship ; and I, the Governor, compassionating foreign merchants, immediately reported to the Emperor, and have reverently received his Majesty's commands, saying that this may be consulted about and altered ; and he has directed a cautious (safe) deliberation (consultation) on the subject, and a report to him. Thus an old custom that has existed for more than a hundred years, will in one morning attain a discrimination and diminution, which will really shed on the said chief and others an extraordinary glory and felicity. How grateful should they be to the great Emperor, for his profound graciousness and kindness to persons from remote parts. How is it that they are not yet satisfied !

As to the former petition, which contained topics, to the granting of which there were impediments that could not be overcome ; such as not using security merchants, not using compradors, themselves hiring warehouses, &c., all of which have already been consulted about, and refused ; sincerely, it is because foreign merchants coming to Canton, are not in language understood. It is absolutely necessary to have Hong merchants to manage the cargoes, and compradors to procure provisions and necessities, otherwise wrangling altercations with the natives cannot be prevented ; and goods being landed and stored with the Hong merchants, all water, fire, thieves and unanticipated evils fall on the Hong merchant, to guard against which renders unnecessary all anxiety on the part of the foreign merchant. Thus acting, when compared with themselves hiring warehouses, who are the gainers, and who the losers ? Again, as to what has been repeatedly presented in petition, to trade with native merchants at pleasure.

Since

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Since Hong merchants whose capitals are comparatively abundant, incur debts, how can native (or plebeian) merchants, whose capitals are comparatively slender, be trusted! In all the topics that have been refused, there has been a profound thought and remote anxiety to plan and design, so as to preserve all in entire safety. Former official answers have already put the subject in the most intense and luminous point of view, there is no use in reiterated official commands.

But in the petition presented at this time there is the expression, "that the said chief and others sincerely desire to restore the commerce." If the said nation indeed desires commerce, the province of Canton has by no means done any thing towards the said ships to hinder, or show a want of desire for commerce; and since they have desired it, they should, after the reiterated official instructions given by me, clearly have discerned the principles of the concern, and not again still cling to former talk. Then the principles of commerce would not have been lost, and deliberation (or consultation) might have existed, and all have delighted in accommodating, where things could not be changed; in going on together tranquilly, according to old rules, there is no want of desire.

The sage commands of his Majesty have now been received, purporting, that the duties paid by the said nation's merchantmen, which they self-estimate as an extraordinary commodity, that they may dwell upon, whilst they are ignorant that the Celestial Empire views them really as not of the importance of a fibre or a particle of dust. If indeed they gradually become sensible of their error, and repent, and lead their ships into the port, then there may be mutual tranquillity and no disturbance, &c.

In this decision, looking up, may be seen the benevolence of the great Emperor, which equals that of Heaven. If men from remote parts are respectful and obedient, then tranquillize and induce them to come; but by no means calculate on their petty duties. Let the said chief and others value an early knowledge of their condition, and awakening to consideration, so as to trade in proper time. Let them not vainly procrastinate and delay. Beside transcribing this for publication, let an order be issued to the Hong merchants to stick this up at the Foreign Factories, for general information, and take the said foreigners' sealed document and send it back. And at the same time enjoin these orders on the said chief and others, for their obedience to the principles contained therein, and not again procrastinate and delay.—Hasten, hasten. A Special Edict.

Take charge of a copy to be hung up publicly, and of a sealed document.

Taoukwang, 9th year, 12th m. 26th day.

(20th January 1830.)

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EXTRACT Canton Secret Consultations, the 25th January, 1830.

From the Hoppo, dated January 21st, 1830.—Received on the 23d.

CHUNG, by Imperial order, Commissioner of Duties, &c. at the port of Canton, to the Hong merchants :

THE English chief Plowden and others have now presented a statement, saying—

[Here follows a copy of the Committee's last letter.]

Beside, they have presented a sealed foreign petition. On these coming before me, I examine into the case, and find that foreign merchants coming to Canton to trade with the Celestial Empire, kindness is shown to those persons from remote parts, and there never is wanting towards them condescension and compassion. On a former occasion

occasion the said chief and others sent in a representation of affairs, and the Hoppo commanded them to examine and conform to the regulations fixed by the governor. I moreover declared, that whilst I accommodated foreign feelings, I would cause a strict examination, and if the said ships should go to Whampoa and trade, I decidedly would not cause the least disorder to be introduced by Hong merchants and custom people, into the newly fixed regulations, &c. I ordered these commands to be enjoined, and obeyed, as is on record.

Now the said chief has again presented a foreign petition, requesting me to forward a sealed report of affairs to the Emperor.

Heretofore the English nation's King, when sending a letter with tribute, it was still necessary to have a translation of the Chinese accompanying it ere it could be forwarded. Yet now the said chief abruptly presents a sealed memorial to the Emperor about commerce : how dare I presume to send it for him ?

To all foreign merchants who come over vast oceans to Canton, in search of gain, the great Emperor's benevolence is equal to that of Heaven. He continually compassionates and tenderly treats them. Of late, concerning the duties on foreign ships entering the port, the governor reported, and requested a difference to be made between large and small ships in the duties levied. To this the Emperor's commands have been received, allowing an alteration to be made after consultation and a report to him. By this it may be seen that the benevolence of this sage dynasty covers ten thousand nations, and extends to the most minute affairs. I, the Hoppo, in attending to the levying duties, would look up and imitate the Emperor's benevolence. Since I alighted from my carriage, I have made compassion and tenderness to foreign merchants my first concern. What occasion for the said chief to cherish suspicions, and abruptly annoy with reiterated petitions about these things.

From the 7th moon to the present time, the said foreign ships have anchored out at sea, and delayed several months, where they are exposed to winds and to waves, and a useless waste of provisions.

I, the Hoppo, on every topic have contrived for them, and deeply compassionated them. The said chief and others have heretofore understood the great principles of justice, and have long been pushed forward by all the merchants. On this occasion, after the official instructions that have been given in reply, they should immediately have changed their purpose (or plan) and ordered all the ships to proceed to Whampoa, and trade as usual. I, the Hoppo, will adhere to justice, and will assuredly manifest twofold clemency and compassion. The said chief and others need not harbour many anxieties.

The foreign sealed petition I order to be returned, and beside I form this order to the Hong merchants, requiring them to take immediately my commands in reply, and perspicuously proclaim them to the said chief and others, that they may yield implicit obedience thereto, and as usual carry on the trade. Oppose not. A special edict. A sealed foreign petition is sent back herewith.

Taoukwang, 9th year, 12th moon, 27th day.  
(January 21st, 1830).

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## EXTRACT Canton Secret Consultations, dated 15th January 1830.

(Secret Department.)

To Captain Hinc, Senior Commander, &amp;c. &amp;c.

SIR :

We have to request that you will give directions to the commanders of the Honourable Company's ships to assist in the execution of a particular service, which is entrusted to the management of Captain Haviside, and to furnish such number of men and boats for the same as he may require, with the necessary supply of provisions.

Your orders to this effect being made general, can be used by Captain Haviside discretionally.

We are, &amp;c. &amp;c.

(Signed)

By Committee.

Macao, 15th January, 1830.

To Captain Thomas Haviside.

SIR :

We have appointed Mr. Jackson to convey a letter which we have considered it necessary to address to the Emperor of China, to the city gates of Canton, there to be delivered into the hands of some respectable delegate of the government.

We have now to request that you will assist Mr. Jackson in the execution of this duty. It is our desire that the address to the Emperor be escorted by an honorary guard of not less than five commanders, ten officers, and one hundred seamen of the Honourable Company's ships; and that the command of each twenty seamen be entrusted to a commander and two officers, by which arrangement such an effectual control can be maintained over the whole as will prevent the liability of any indecorous behaviour.

We refer you to Mr. Jackson for any further information that you may require respecting this service, with full confidence in your activity and judgment to carry our wishes into effect, in concert with that gentleman, by the adoption of measures best calculated to ensure their fulfilment.

A general order has been issued by Captain Hinc to the commanders of the Honourable Company's ships, requesting their co-operation in performing this duty, according to the arrangements which may be made by you, as well as the assistance of any men or boats that you may require.

We are, &amp;c. &amp;c. &amp;c.

(Signed)

By the Committee.

Macao, 15th January 1830.

## EXTRACT Canton Secret Consultations, dated 15th January 1830.

To Captain Whitehead, Commander of Hon. Company's ship Duke of Sussex.

SIR :

I am directed by the President and Select Committee to inform you, that it is their intention to detain the Honourable Company's ship Duke of Sussex, in China, for the service and protection of the Factory, after the despatch of the remainder of the fleet, and that the orders which have been issued relative to their preparing to proceed to sea, are not to be considered applicable to you.

The

SELECT COMMITTEE OF THE HOUSE OF COMMONS. 75

The President and Select Committee wish you to station your ship near the island of Lintin, for the purpose of serving notices upon the commanders of country vessels arriving in China, of the suspension of the British trade with this port. Upon the appearance of a country ship under the British flag, you will despatch a boat with *two* officers in charge of this notice, which you will direct them to deliver formally to the commander of the vessel, in the presence of some of the officers or crew. I herewith enclose notices and forms of letter to commanders of country ships, the names of which must be supplied upon their arrival.

As soon as all transactions of a commercial nature between the Duke of Sussex and Bridgewater have been terminated, you will proceed to carry these orders into execution.

I am, &c. &c.

(Signed)

JOHN JACKSON,  
Secretary.

Macao, 15th January 1830.

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EXTRACT Canton Secret Consultations, 11th January 1830.

*Notice is hereby given,*

THAT we, the President and Select Committee of Supracargoes, being duly authorized by Acts of the British Legislature to superintend all the affairs of the English nation in China, do hereby interdict intercourse between merchant vessels trading under the British flag, and the port of Canton; and prohibit all such vessels from proceeding in the channel towards the Bocca Tigris beyond the island Lintin.

We further give warning, that an infraction of this prohibitory notice will render the parties so offending liable to the penalties which have been attached by Acts of Parliament to disobedience of orders of the Representatives of the English East-India Company in China, upon all points connected with the trade to the port of Canton.

(Signed)

By Committee.

Macao, 11th January 1830.

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EXTRACT Canton Secret Consultations, dated 16th January 1830.

To Captain Thomas Haviside, Commander of H. C. S. Windsor.

SIR :

I am directed by the President and Select Committee to inform you that they have selected the H. C. S. Windsor, under your command, as one of the ships which they propose to employ in forwarding their representations to the Court of Peking. For the purpose of rendering her voyage more safe and expeditious, you will remove as much of her cotton cargo as you shall see fit; and if you can suggest any other measures, the adoption of which may facilitate the object in view, I am instructed to beg that you will do so. The commanding officer of the Lowther Castle is desired to receive as much cotton as that ship can conveniently stow.

I am, &c. &c. &c.

(Signed)

G. B. ROBINSON,  
Acting Secretary.

Macao, 16th January 1830.

A similar letter addressed to Captain Arbuthnot, H. C. S. Hythe.

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## EXTRACT Canton Secret Consultations, the 25th January 1830.

To his Excellency the Viceroy of Canton.

WE have to thank your Excellency for your letter of the 20th instant, and for the conciliatory language and sentiments which it contains. We avail ourselves of an early opportunity to reply, that we may not appear in any manner backward in exhibiting a corresponding wish to bring about the re-establishment of commercial intercourse, which unfortunately has been so long interrupted.

We avoid entering upon long details, but proceed briefly to notice a few particulars.

We have always understood that his Imperial Majesty the Emperor of China sanctioned and encouraged representations and petitions being forwarded to him from all who felt injured and sought for justice, therefore we were the less prepared to expect that both your Excellency and the Hoppo would refuse to forward the petitions we lately presented. As we possess other means of sending our addresses to Court, we, in the first place, resorted to that mode which appears to us most regular and most proper. We much regret that this one course is now closed to us, and that the others only remain to be proceeded in.

We are willing to repeat our former assurance that "we sincerely wish for the restoration of commerce." Our object of coming to this country is trade alone; we have no other motive. So long as we have been enabled to conduct our business with security and regularity we have always done so; but since the number of merchants has become so much reduced as to preclude the possibility of continuing a fair and liberal traffic, since some of them have been guilty of frauds upon foreigners, which the others have not aided us in our endeavours to punish, we could not but feel that justice was denied to us; that commerce was on the brink of ruin, and that the respectability of the mandarin merchants was seriously compromised.

Now your Excellency assures us that you have taken active measures to bring back Lew Ching Shoo, and we feel satisfied that by your means he will shortly be brought to Canton; this will afford an evidence to all foreigners that justice may in future be looked for from the provincial government.

Also your Excellency's assurance that there are people who have requested to be made Hong merchants, is most satisfactory; for this we consider a matter of so much importance that it outweighs many other points. As an extended commerce cannot be conducted by the few merchants now remaining, more particularly when they all combine under one head to conceal from us the true prices, and consequently to degrade and ruin trade, the absolute necessity of increasing the number of Hong is apparent. The imperial benevolence formerly required that there should be at the least twelve or thirteen Hong, and these were all substantial: now there are only three or four of any property, and really not more than two who are free from difficulties. With such a Cohong it would be impossible to conduct even the old amount of trade; but at present, when the number of ships which annually come to the port is greatly increased, surely it cannot be managed by any less than the originally constituted number of merchants. Though most anxious for a far greater addition to the Hong, we confidently trust that your Excellency will at the least make up the old and legal number of firm and substantial men; this may be done by nominating at present even seven or eight merchants of property and character. To such men we should feel satisfied in extending the benefits of the Company's trade, and allowing them, according to their means, to participate in its advantages. When such a number of truly respectable men have been appointed and their names introduced to us, we feel assured that it will give great satisfaction to all foreigners; and we can perceive nothing

nothing which is more certain to restore confidence to all parties, and which will more surely enable us to recommence our commercial intercourse than the adoption of such a course by your Excellency.

Your Excellency's decision respecting the payment of the debts of impoverished merchants is just and conclusive; but the Hong merchants have not acted in obedience to your mandates, and made restitution; their frequent idle prettexts have destroyed all confidence in them. We have shown anxiety on this point, not merely for the recovery of the money, it is the principle for which we have been contending; for if a merchant's debts are not paid and his creditors make many urgent appeals in vain, it becomes impossible that any one can again confide in such persons, nor can they reverence the justice of a government which denies them redress.

Your Excellency's assurance that property stored in a merchant's warehouse shall be safe from every calamity, is highly gratifying to us. We asked for permission to rent warehouses, because we were unable to trust in the mandarin merchants. The reason of this is evident—Manhop allowed a large quantity of goods belonging to an English merchant to be stolen from his warehouse, and made over to a Chinese creditor; repeated representations to recover it were of little avail. Again, Chunqua gave over to tea merchants and others, valuable property which really belonged to his foreign creditors; thus confidence was destroyed by the fraudulent acts of these men. Now, however, your Excellency declares that our property shall in future be safe, we feel confidence in this declaration, and trust that the certainty of our complaints meeting with attention and justice will restrain the conduct of those merchants who are not alive to feelings of honour and probity.

We look up with reverence to the decision of his Majesty the Emperor, that the enter-port fee should attain discrimination and diminution; and we are thankful to your Excellency for having obtained this decision in our favour. We feel assured that this diminution will be liberally settled, and that the amount payable by our large ships as well as by those of various and smaller dimensions will soon be announced to us, and that the reduction will really be so great that we may immediately on learning it be satisfied and content.

We have been preparing our ships to go away, only because we thought that justice was denied to us, and that no hope remained of our differences being accommodated; now we find that your Excellency's letter contains assurances which are calculated to restore confidence, without which trade cannot be continued, with which it may soon recover its former height of prosperity and security.

As so many material points have been favourably considered, we look only for an early announcement that the new merchants have been approved and established, and that an important diminution of the port charges has been ordered. We will only add, that when this is done we shall feel confidence that commerce will be conducted on just and liberal principles, and we shall be most happy to order our ships again to enter the port. We are far from wishing to procrastinate and delay. With these assurances we conclude, and with great respect subscribe ourselves your obedient humble servants,

(Signed) For the President and Select Committee.

Macao, 25th January 1830.

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## II.

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President's  
Secret Letter.

. COPY Letter in the Secret Department from the President of the Select Committee to the Chairman of the Court of Directors, dated 28th January 1830.

HONOURABLE SIR :

1. THE peculiar circumstances in which I am placed in this country as President of the Select Committee, differing entirely in opinion from the other members of the Board, on a subject of vital importance to the Honourable Company's affairs in China, as well immediately as prospectively, have induced me to avail myself of the privilege attached to my station to address myself on this occasion to you, Sir, as Chairman of the Honourable the Court of Directors.

2. I am the more induced to do so from the necessity of observing that my motives, opinions, and line of conduct have not been represented in any consecutive form, or indeed at all, in the various letters which have been written to the Honourable Court, the statements contained therein and the arguments adapted to them differ most materially, if not totally, from my views and knowledge of the subject on which they treat ; and as they speak solely the sense of the majority of the Committee, but one statement of the case is brought before the notice of the Honourable Court, further than in the minutes which I have from time to time recorded, in dissenting from measures which I have thought and still continue to think, have caused the most serious detriment to the affairs of the Honourable Company in a commercial, moral, and political point of view.

3. My object, therefore, in addressing you officially, is to give a brief summary of the line of conduct which I have pursued, to give my view of the state of affairs which have brought the interests of the Honourable Company to their present extremity, of the very injudicious measures which have, in my opinion, rather aggravated than remedied an existing evil, and to show how far I considered it safe, equitable, and proper to endeavour to improve the difficulties which existed in the trade, more especially by the diminution in the number of Hong merchants.

4. In the Secret Consultations of the 25th July last, a proposition was made and assented to by the majority of the Committee, to keep the Honourable Company's ships on their arrival outside the port of Canton as stated therein, partially on account of the health of their crews, and partially to attract the notice of the Chinese government to the state of foreign commerce at Canton, as Chunqua's Hong was deemed insolvent, and his bankruptcy might seriously involve the affairs of the other Hong merchants.

5. The President assented to this proposition on the score of the health of the crews at that early season of the year, but objected to the measure as a preliminary step to any future proceedings with the Chinese government.\* He conceived it would be more immediate and certain means of attracting the attention of the Canton government to the instability of the credit of the Hong merchants, to address the Viceroy forthwith, and not to place the opening of our correspondence to the hazard and delay of awaiting his attention being drawn by the ships remaining outside the port, and which might in all probability induce him at a future period to receive our addresses without distrust and suspicion.

6. To this course the majority of the Board dissented, for the reasons specified in the consultation, and were desirous that the Viceroy should open the discussion ; but as a period of five weeks elapsed without the expected communication from that officer, it is to be regretted that the President's opinion was not adopted until the 28th August, more especially as he represented on the 25th July† that such silence

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\* Secret Consultation, July 25, 1829.

† President's Minutes, Secret Consultation, July 25.

on the part of the Committee was objectionable, as the government could not possibly divine the cause of our complaint; it deprived them, by delay, of the only means of remedying the evil by which the trade was affected, and at all events unnecessarily retard the progress of business, if indeed any alteration whatever was likely to be adopted in the present season.

7. On the 28th August the President again brought before the Committee the necessity of addressing the Viceroy on the commercial disabilities with which the foreign trade was threatened, from the reduced number of Hong merchants;\* it was evident that that officer did not feel, or did not choose to express an anxiety on the subject, and would not therefore open a correspondence, which on all accounts ought to be commenced by the Committee; and as the season was now so far advanced that the plea of detaining the ships outside the port on account of the health of the crews, was scarcely any longer available, and as the state of the markets was advantageous for the sale of the Honourable Company's cargoes, the President proposed that the Honourable Company's ships should be ordered to proceed to Whampoa.

8. The majority of the Board assented to the proposition of the President to address the Viceroy, but would not permit the Honourable Company's ships to leave the anchorage at Toonkoo.† It is to be observed that the address to the Viceroy was for the creation of an additional number of Hong merchants, exposing the actual condition of Chunqua's Hong, but did not advance other propositions.

9. The Committee received a reply from the Viceroy on the 8th September;‡ in which he states that our address of the 28th ultimo was not sufficiently explicit, and requests that we should come to the point of fact in perspicuous language. To this we replied§ by again urging the return of Chunqua with money, and specified the magnitude of port charges, and the ratio in which they were levied, as evils which pressed heavily on the trade.

10. A continuation of correspondence was preserved from the 8th September, as recorded on the Secret Consultations, principally on the subject of Chunqua's return to Canton, in that of the port charges, and on the reduced number of Hong merchants. The return of Chunqua may certainly be expected, although it is doubtful how far the circumstances alleged against him may counterbalance his own disinclination to revisit Canton in the present state of his Hong, the interest which he is known to possess amongst official persons, and the distance of his residence from the province of Canton. The port charges are declared to be now an imperial duty, which cannot be diminished or removed without an order from Pekin; and the Viceroy certainly expressed considerable anxiety for the creation of new Hongs.

11. On the 5th October a letter in conformity with the consultation of the 2d instant,|| was transmitted to the merchants to be presented to the Viceroy. It specified a variety of propositions which were deemed likely to benefit foreign trade, to prevent the evils attendant upon the expected failure of Chunqua, and the probable effects of his bankruptcy on the remaining Hongs. These speculative propositions involved a material alteration in our commercial relations with China, and appeared to demand things which might be partially conceded, but certainly they were not of a nature to compensate for much sacrifice of time or property on the part of the Company, nor could they be expected to be obtained in full from a government so cautious and peculiar in its connection with foreigners, as that of China.

12. With this view of the propositions, and with no idea of making their concessions a *sine qua non*, for the resumption of our commerce, the President did not object to

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Secret Letter.

\* President's Minutes, Secret Consultation, August 28.

† Secret Cons. August 28.

‡ Secret Cons. September 8.

§ Secret Cons. Letter to Viceroy, September 8.

|| Secret Cons. October 2. Letter to Viceroy, October 5.

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to the transmission of the letter in question ; he did not expect that the government would or could concede them all at our request, yet he thought that some advantage might accrue from a partial alteration in the commercial system of Canton, and he was prepared to await the reply of the Viceroy, that the Committee might avail themselves of any concessions tending to improve the state of the Hong, and to lead to the creation of an additional number of merchants.

13. Although the President entertained an opinion that but three or four of the Hong merchants were in affluent circumstances, and the others possessed of but little property, yet he never entered into the idea that the merchants generally were in a state of bankruptcy, or that they merited those sweeping assertions of their embarrassments and want of faith, which pervades the consultations up to the middle of November ; when referring to them in the case of Mowqua, the President has expressed his opinion,\* nor can he admit that unfounded reports often created by interested persons, give a public sanction for ruining the reputation of a merchant ; with the exception of Chunqua, the other Hong remained in very much the same state as they were during the last season, and as capable of transacting their usual business with foreigners.

14. On the 16th November the President placed before the Committee† the reply from the Viceroy to our Address of the 5th of October, it contained much which he considered of beneficial tendency to our trade ; and as being the united opinion of the Viceroy, Judge, and Treasurer, it came under the sanction of the principal officers of the Canton government. After a deliberation of more than five weeks, those propositions, which did not affect the commercial regulations and institutions of the empire, were conceded or promised, and those which were at variance with such laws and customs were pronounced inadmissible.

15. The elder Chunqua was ordered to Canton, the measurage duty and enter-port fee was referred to Peking for a reduction or modification, the comprador's fees were reduced to one-half of the previous amount, and the Viceroy abolished, during his administration of the office of Hoppo, all the fees and exactions which were usually charged on the creation of a new Hong, which we had stated as preventive causes against any further addition to the existing Hong.<sup>‡</sup>

16. In the opinion of the President,§ an opening was here presented for an arrangement, which might have produced an almost immediate termination to the existing non-intercourse ; and such a reply might have been returned to the Viceroy, as, while it gave him credit for those concessions which had been made, would have given him the option of substituting as a temporary remedy for the reduced number of Hong, a permission for us to adopt the system granted to the Americans in 1828, of trading through the Hong of security merchants with any Chinese whom we might deem worthy of our confidence ; and in the event of this request being refused, that we might urge the continued exertions of the Canton government for the creation of new Hong, and proceed to Canton to trade with those merchants who were conducting their usual commerce with foreigners. The President would not contend further against such authority as conducted the last letter from the Canton government for the abolition of the security system, or for the imposition of our other demands, which appeared so unlikely to meet with concession.

17. Independent of the actual concession from the Viceroy, we had attracted his attention to a scrutiny of affairs of the Hong merchants, and he evinced an anxiety almost

\* Secret Consultation, November 23. † Secret Cons. Nov. 16. President's Minute, Nov. 16.

‡ Secret Cons. Nov. 16, Viceroy's Letter.

§ President's Minute, Nov. 16.

almost equal to our own, for the attainment of an additional number. If we ceased to dictate the minor objects contained in our propositions of the 5th October, and to remove them from a competition with the two desirable points, of a reduction in the enter-port fee and of additional Hong merchants, the more probability would there be of obtaining these solid advantages.

18. The majority of the Committee dissented from the line of conduct proposed by the President, and in lieu of such an address as he wished to present to the Viceroy, a reply was framed\* entirely at variance with the opinion of the President, and one which completely changed the nature of our communications with that officer; a tone of contemptuous observation, a dictatorial and minatory spirit pervaded the document in question, and in the opinion of the President placed the Committee in the position of the aggressing party, and neglecting to admit those concessions which our correspondence hitherto had attained, it evinced an irritating and unaccommodating disposition, conveyed at times in language in accordance with such feelings.

19. Another measure was at this time enacted by the majority of the Board, which in the President's opinion was of a most prejudicial tendency to the character and interests of the East-India Company, and one altogether subversive of that system of order, regularity, and adherence to the laws of commerce and of nations, which had hitherto been maintained by their representatives in this country.† The President alludes to the permission granted to the commanders and officers of the Honourable Company's ships to dispose of their investments outside the port any way they might devise, or in other words it authorized and proposed an illicit traffic. This reprehensible measure in a two-fold degree altered our relative position in these discussions.

20. From these two points the President dissented most decidedly, and as the measures subsequently carried into effect, and the letters subsequently addressed to the officers of government were adapted to them, and at variance with the line of reason, moderation and justice, which ought to pervade the conduct of the Select Committee in China, the President could not but dissent fully and frequently from the various propositions, which from time to time were placed before the Board by the majority of the Committee.

21. The President is desirous of drawing your attention to the particular circumstances in which he differed from the majority of the Board; and it is not to be supposed, that because he continued to act in unison with them, while their proceedings were adapted to the benefit of the Company, that he should continue to support them when their correspondence and measures were in direct opposition to his views, and in every way calculated to retard the adjustment of existing differences, and to injure vitally their best interests in this quarter. The President at this point will only add, that as his difference of opinion with the majority of the Board on these subjects, is objected to him with personality by them at various future junctures, he has laid greater stress on the causes by which he was actuated, than he should otherwise have deemed it necessary to explain.

22. A proposition was laid before the Board, and assented to by the majority, on the 23d November,‡ to prepare part of the cargo of a ship to be despatched for England, through the agency of Messrs. Magniac and Co. of Canton, who were authorized to purchase tonnage on board a country ship at Whampoa, and to obtain from Howqua a portion of the Honourable Company's winter teas, to be transmitted to the anchorage at Toonkoo; and in the event of difficulties arising in the delivery

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\* Committee's Letter to Viceroy, Nov. 16, 1829.

† Secret Consultation, ditto. President's Minute, ditto. ‡ Secret Cons. November 23.



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delivery of the teas in question, that firm was authorized to purchase from 5,000 to 6,000 chests of congo tea in the market. To this proceeding the President entered his dissent, on the grounds of the irregularity and impropriety of the principle on which the Committee were acting; as adapted to prove to the Chinese government their inability to prevent an illegal traffic, the measure could be but of little avail, it must be immaterial to them whether the tea is laden on board a Company's ship at Whampoa, or on board a country ship, since the duties on the goods and the benefits derived by the Chinese are in both cases similar; and there can be no doubt of the feasibility of a ship procuring her cargo by remaining outside a port, and paying freight to another vessel which brings a cargo from that port to her, the sacrifice in this case being solely on the part of the Company.

23. The President likewise recorded his unqualified dissent to an offer of a similar tendency made by Captain Whitehead, to purchase the Honourable Company's cotton, imported per Bridgewater, at the rate of 9. 5. per pecul, being one tale per pecul under the market price at Canton, the value of the sale of cotton to be met by a provision of congo tea to be delivered at Toonkoo; the same argument as applicable to the former transaction may be quoted in this, with the additional remark, that cotton bearing the Company's mark would be received in Canton, and perfectly disclose the nature of the proceeding to the Chinese, who would willingly receive the import and ship the export cargo of the vessel, which in conducting this extraordinary traffic, would have to perform repeated trips to and from Whampoa, and to pay to government each time, additional measurage and present duty.

24. On the 30th November, the President placed before the Board his opinion as to the reply which he designed to address to the Viceroy;\* he was desirous of representing to that officer, that since the laws of China disallowed foreign trade to be conducted otherwise than by security-merchants, we hoped that he would speedily restore it to a healthy condition, by appointing men of credit and character to enter the Hong, to acknowledge the desire he had evinced to create more merchants by removing all the fees in his power; but that as Chunqua had not returned, and the measures to improve the trade not yet carried into effect, we must remain on the reserve ere we commenced commercial transactions.

25. The President consented to some further delay in the Honourable Company's ships remaining outside the port,† in the hope that the late urgent edict of the Viceroy to the merchants to create new Honges, and the expected approach of the Hoppo to Canton, might bring about this desirable object; but he expressed to the Board, that in the event of disappointment in fully obtaining this object, he should shortly again recommend that the ships be ordered to Whampoa, and that in order to conduct the commerce with security, he should request from the Viceroy a guarantee for the safe guard of the Company's teas, until they should be shipped.

26. This mode of security was the best that could be adopted under the existing circumstances,‡ it would relieve the Honourable Company from the greater evil, the heavy loss which is daily accruing to them under the protracted suspension of their trade, and the serious embarrassments which our continued non-intercourse must cause to their affairs, it would also afford time for reference to the Honourable Court, should they think fit in another season to prosecute the measures now in action.

27. The novel system of trade in which the Committee are engaged, is detrimental solely to the interests of the Company, as independent of the payment of duties on imports and exports, the measurage and present of a small ship entering the port twice or thrice to tranship cargo to one of the Honourable Company's ships, is more advantageous

\* Secret Consultation, November 30. † Ditto ditto.

‡ President's Minute, Secret Consultation, November 30.

advantageous to the government; and as our teas pass through the usual channel, with the exception of the Company appearing in the transaction, it is as entirely at their cost as though their ships were engaged in carrying it on.

28. It cannot be questioned that if we send, or indirectly pay for ships, to fetch and carry cargo between the Cap-Singmoon anchorage and Whampoa, that the ships of the season might, at an enormous sacrifice of time, money, and our commercial character, be hereafter laden; and where other commercial men find responsible merchants to purchase these and other cargoes, and have pursued their commercial transactions throughout the season, with their usual regularity, we ought to be, and are as well qualified, to make satisfactory arrangements towards carrying on our customary business.\*

29. The President proposed, after these observations, that Dr. Morrison should be requested to draft a letter to the Viceroy,† embodying the sentiments contained in the 24th paragraph; to this the majority of the Board dissented, and adopted the address recorded, which was far from meeting the views of the President, particularly in requesting the removal of the Honourable Company's teas in Chinese vessels to our ships while remaining outside the port, and the renewed application for the payment of all foreign debts, none of which are due to the Company.

30. Two propositions were circulated for adoption by the Board on the 1st December, to which the President was under the necessity of dissenting; the first was, that two of the Company's ships should take up their station to the westward of two islands called the Brothers, that a tent should be pitched on shore for the convenience of the officers, men, and artificers; that the place might be useful as a signal station, and that the Company's tents should be lent for this purpose.

31. The nature of this proposition seemed to the President to comprehend objects of a description differing from commercial;‡ he conceived that the landing and residence of a party of our seamen on any islands in the vicinity of the anchorage of our shipping, which in many places is very populous, was calculated to attract notice, and might probably lead to the hostility of the Chinese; nor was it evident to him how the rendezvous of our people on shore would promote the views of the majority of the Board in establishing a trade with the Company's ships outside the port.

32. The second proposition was to detach six of the Honourable Company's ships from the fleet to an anchorage at Hong Kong, to attach two members of the Factory to the respective divisions for the purpose of conducting the contraband trade, and to communicate with junks passing and repassing the anchorages. The President objected strongly to this proposition for the reasons which he has specified in the early part of these illicit proceedings, and although the majority of the Board have negatived his desire to receive official reports of the progress of the Company's commercial transactions at Hong Kong, he has received from undoubted authority information that the advantages expected from the traffic in question have not been derived, as scarcely any sales have been effected, and the Chinese have evinced disinclination to hold any commercial intercourse with the ships.

33. As the President considered the service upon which Messrs. Lindsay and Clarke were delegated to be one of delicacy and consequence, he is desirous, without here interrupting the narrative of more important subjects, to draw your attention to the minutes which appear recorded under the dates mentioned in the margin,§ as the occasion of his requiring to receive official reports of these gentlemen's proceedings.

34. In aid of the purpose expressed in paragraph 32, it was further proposed to print,

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\* President's Minute, Secret Consultation, November 30.

† Reply to Viceroy. Secret Consultation, November 30. ‡ Secret Consultation, December 1.

§ Secret Consultations, January 4, and January 31.

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print, at the Company's press at Macao, a notification, addressed to the Chinese inhabiting the towns and villages in the vicinity of the shipping. The objections recorded by the President on this occasion were, that although the motive was in itself harmless, it could not but be expected that the Chinese must view it with suspicion, and that, however much intended for conciliation, it might very naturally be otherwise construed by the Chinese under their present feelings, excited as they must be by the unusual lingering of the Company's ships about the coasts, and our differences with the government. The President further observed, that he was perfectly confident the Honourable Court would never approve their printing-office, which was designed for other purposes, being made the medium of such communications with the native peasantry of China.

35. An address was received on the 9th December from the Viceroy, in reply to that from the Committee of the 30th November; the reasoning was of the same tenor as that contained in the preceding documents received from him, and evinced his purpose to make no further concessions: it concludes by observing that he would receive no more petitions on this subject. The President has here to observe, that although the tone and temper displayed in the Committee's address to the Viceroy of the 16th November did not cause him to retaliate in similar language, but that he replied to it in the same dignified and composed manner which has pervaded his correspondence; nevertheless it is not to be imagined but that the contemptuous and menacing strain then adopted by the address of the Committee must materially influence his opinion of our objects and intentions; must naturally indispose him to receive otherwise than with caution and distrust any further propositions and advances; to excite a feeling in himself, and the other officers of government, very prejudicial to the interests of the Honourable Company.

36. In the interval that elapsed between the Viceroy's last address and the 25th December, the new Hoppo arrived at Canton, and on the 13th instant assumed the charge of his official duties. Much hope was entertained that this event would afford an opening for the accommodation of the existing differences, and that this officer might address us in such terms as would enable us to resume commercial intercourse. In this respect, however, we were disappointed, the newly-arrived Hoppo maintained a total silence on the subject of the Company's suspension of trade.

37. On the 25th December, our address to the Hoppo was submitted to the Board for their adoption, which the President considered was in every way ill calculated to serve the interests of the East-India Company, and highly improper to be addressed to any officer of the Chinese government; its tendency was to irritate, and such a style of correspondence would, in the President's opinion, fully justify the officers of the government to the Emperor of China for any offensive or hostile acts they might deem it necessary to adopt. This address was replete with reasoning unsupported by any act of the Chinese government, and at variance with the tenor of the Viceroy's replies to the various representations of the Committee.

38. The President regretted that the temper and caution adopted by the Viceroy had not been reciprocated in our proceedings, and that we had assumed, and were then using the weapons usually employed by the Chinese themselves, as in fact "the angry words and high-sounding threats" had been throughout displayed in our letters, where they were least to be expected, and would be worse supported. Entertaining these sentiments, the President was so far from consenting to become a party to this address, that he drew up another which he begged might be substituted in lieu of it, which he considered more likely to bring about an accommodation, and to afford the Hoppo an opening for encouraging the resumption of our commerce.\*

39. In

\* Letter to Hoppo proposed by the President, and appended to his Minute, December 25.

39. In recording his remarks upon the letter which the majority of the Committee determined to transmit to the Hoppo, the President drew the attention of the Committee to the heavy loss which the Honourable Company were enduring, and the little chance which appeared to him to exist of their forcing the Chinese government to accede to their demands by a perseverance in their measures. He was unwilling to advert to subjects which had so frequently received his dissent in the progress of the negotiation; whether his opinions had been well or ill founded, it was not the object of his present minute to ascertain; he wished to advert exclusively to the great, and, in his opinion, unnecessary losses which were hourly accruing to the Company, and for which no compensation could be afforded, even by the attainment of those objects for which the Committee were contending in such continued and costly measures.

40. The President urged upon the Board the numerous considerations which ought to be contemplated beyond the evils of the present hour; the heavy demurrage now in action was a charge of great magnitude upon the trade, and not easily to be counterbalanced; beyond this was the difficulty which must necessarily ensue in procuring the tea investment for the succeeding season; the present irregularities of our commerce rendered it a matter of great improbability that the tea merchants, who, under ordinary circumstances, would soon be returning from Canton to the tea country, would be either able or willing to bring down the supplies for next season, while they must either leave Canton with their property unsold, or they must remain so long in the south as to be unable to attend to the cultivation of the tea crops for the ensuing season; this of itself was a matter of the greatest importance.

41. As another source of detriment to the Honourable Company's affairs, the President could not pass unobserved the circumstances of their financial arrangements in China. The impolicy of continuing our treasury closed at a period when large shipments of specie might with advantage have been attended to, was alluded to in the President's minutes, noted in the margin.\* He by no means undervalued the advantages to be obtained by an additional number of Hong, for the creation of which the Canton government has evinced an anxiety almost equal to our own, and we have evidence on record of the 25th July last, that this subject had at that period been referred to the Emperor, and replied to by him; beyond those points that had been conceded, there remained but little which can compensate for the enormous sacrifices already made at the expense of the Honourable Company, were the evils likely to ensue from the result of the present non-intercourse removed from contemplation.

42. The Viceroy had expressed already, in conjunction with the Judge and Treasurer, his conviction that the propositions which were made by the Committee for an alteration in our commercial relations with the Chinese were inadmissible; those which were in his power to concede were granted: were the Hoppo even willing to gratify us by a nominal concession against such authorities, his power to carry them into effect would be more than questionable.

43. The property and best interests of the Honourable Company were at stake for the purpose of enforcing on the Chinese government a commercial code of our own creation, which they had now frequently informed us was at variance with their laws and institutions: were the Committee warranted by the Honourable Court of Directors to place at hazard, with the certainty of enormous loss, the valuable commerce between Great Britain and China, for objects of such minor consideration, or for the creation of additional Hong, even if that were dependant upon the issue of their negotiations, there was nothing in the orders of the Honourable Court of Directors to sanction the ships being detained outside the port; much less could they contemplate

\* President's Minutes, November 15 and 18, and December 25.

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template that upwards of four months should have been passed in commercial inactivity, and that a trade so valuable as this should have been kept dormant under circumstances of a self-imposed non-intercourse.

44. This negotiation had already evinced that there are points in their internal government and their foreign relations, which the Canton authorities will not deviate from for the advantages derived from a commerce, while by an over estimate of its relative importance to the East-India Company and to the Chinese, the former were labouring under an enormous sacrifice, which was felt with but trifling inconvenience by the latter.

45. The commerce of the present season at Canton had been carried on as usual, as well by our country trade as by foreigners in general, and the credit of the Hong merchants had certainly received no detriment; on the contrary, the President had been informed that they had fulfilled their mercantile transactions with good faith and punctuality, and as their trade had hitherto been extensive, they had not felt in a manner to injure them seriously the abrogation of our commerce, more especially as they could not but be aware that our import and export investment must, under whatever guise it appears, flow through the usual channel, while the fact of the Company's cargoes being detained out of the market had, as a matter of course, been of great service to the merchants and agents in the disposal of their cargoes, so great a portion of the foreign trade being kept out of the market; and surely it was in the power of the Committee to exercise the same vigilance and precaution, in the sale of the property entrusted to them, that the private agents had effected.

46. The Committee were aware, though perhaps the Viceroy was not, that the Hong merchants are not indebted a fraction to the Honourable Company; nor in fact, with the exception of Chunqua, the affairs of whose Hong are still in abeyance, was there any merchant indebted to the foreign trade, whose debts we had been advocating; the arrangement of the settlement of Manhopp's affairs had not been infringed upon; the demand therefore for the payment of foreign debts, appeared more for the purpose of creating discussion than founded on a solid basis, more especially as foreigners, particularly agents, had never discontinued their business with the Hong merchants.

47. The President did not mean to propound that the foreign trade with Canton was not fraught with many exactions (and in what country is commerce free from them?); but in China they are principally capricious on the part of the Canton government and the subordinate officers, and are not such as can be contended against, further than with a temporary effect, in a despotic government, and one professing to hold commerce in minor estimation; it should be remembered, therefore, that our sacrifices were for the imposition of a system, which can only be effected by an alteration in the genius and character of the people; we were in fact proposing it as a mitigation of the irregular transactions between the official mandarin and the Hong merchant; but it should be recollected, in this arbitrary and despotic government, the mandarin can with as much facility exact irregularly from the merchants engaged in foreign commerce under one system as he could under another: indeed, the united interests of the Hong merchants were likely to present a more considerable barrier to numerous exactions than could be affected by an individual Chinese merchant, who could merely rely upon his own influence, which under so enlarged a division of the foreign trade as would ensue supposing it were thrown open, could not be of any consideration.

48. The only complaints of exorbitant demands regularly charged upon the commerce have been, first, that which is usually called the "present," which the Viceroy has consented to have proposed to be modified, although in the case of the Company's ships not reduced; and secondly, of the Comprador's fees, which have been greatly diminished.

diminished. By the Committee's demonstration, it does not appear that there is any novel source of complaint, as the former has been charged for upwards of a century, and the latter has been of long standing,

49. We have hinted at irregular exactions; the only one clearly specified, namely, the exorbitant charge made by the Canton government in the creation of the new Hong, has been for the present at least abolished: although the Committee are aware that there are others charged at different periods, they have not been able to specify them, and even were they, it is a business between the mandarin and the merchant, which we have no authority to scrutinize, more especially when both parties are agreed in keeping them in obscurity. Be the exactions what they may, the British trade has flourished under them, and there is nothing of recent creation either to militate against the continuation of their advantages, nor to authorize so great a sacrifice for the amelioration of the commerce, as it is now suffering under.

50. The government of China is in all its branches a perfect despotism; to engraft in its commercial institutions the system and regularity of our own country would of course be out of the question; we must not therefore hope permanently to abolish those irregularities which form part of the system of government in all its ramifications; and as the specified and regular exactions are so few in number, the Honourable Company are becoming involved in incalculable difficulties by the Committee endeavouring to enforce a system to remedy evils which in fact form a regular portion of an irregular administration of a despotic government.

51. The President considered that the only way to check evils in this country was to resist the imposition of any new exaction, or of any specific one which presses hard upon our commerce; but it was natural to suppose, not only that the government of China, but of any country in the world, would contend against the imposition of a commercial code by foreigners.

52. In the foregoing minute, which the President has nearly transcribed verbatim, the Committee entered their several minutes in reply;\* and to which, as professing not to understand his sentiments and line of conduct, in the existing state of affairs, he felt obliged to record some further observations in answer, under the same date.†

53. On the December, a letter was received by the Committee from the Hong merchants, expressing in simple but feeling terms the distresses they were exposed to by reason of the non-fulfilment of their tea contracts on the part of the Company, the due performance of which the President conceived to be a point of the utmost consequence, both as it affected the situation of the Hong merchants and the hitherto unimpeached character of the Honourable Company. The answer to this letter, adopted by the majority of the Board, compelled the President to place his sentiments on record.‡ He considered it to contain opinions at variance with the real state of the case, as accusing the Chinese government with being the cause of misfortunes likely to accrue from the suspension of the Honourable Company's trade, induced by ourselves; and that certainly no blame whatever could be attached to the Hong merchants, who could not with any degree of justice be supposed to have caused the distresses of which they complained, and which the President conceived were entitled to more sympathy and consideration than they had received in the letter adopted by the majority of the Committee.

54. A reply was received on the 6th of January from the Hoppo to the Committee's address of the 25th ultimo: it supported the arguments and decisions of the Viceroy; it

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\* Secret Consultations, December 25. † President's Second Minute, ditto, ditto.

‡ President's Minute, December 31.

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it adhered temperately but firmly to those concessions already granted, without holding forth the prospect of any change in the commercial institutions of the country; it stated that the non-intercourse was voluntary on the part of the Committee, and not attributable to any act of the Chinese government. And furthermore, the Hoppo assured them, that if the Honourable Company's ships proceeded to Whampoa, and traded according to established regulations, he would carefully protect them from all exactions.

55. Considering the very deep interests which the Honourable Company had at stake, and the crisis to which their affairs had now unfortunately arrived, the President was willing to avail himself of the opening granted by the Hoppo, as the only one which might occur, for the resumption of our commerce until the following season; and with reference to the intentions expressed in his minute of the 30th November last, the President proposed to the Board that the Honourable Company's ships should be ordered up to Whampoa.

56. This proposition was met by a course of proceedings emanating from the majority of the Board, recorded under date the 11th of January.\* They embraced an order for the Honourable Company's ships to quit China; an address to the Emperor of China, criminating the officers of government in Canton; a despatch to the Right Honourable the Governor General of India, requesting him to forward a letter to the same high authority by the way of Nepal into China, and requiring a force of frigates to be sent to this country: these two latter points being in contradiction of positive orders from the Honourable Court of Directors on both subjects.

57. The President being willing to obviate the necessity of these resolutions being carried into effect by the majority of the Board, entreated their sanction to the measure of his being allowed to order the ships up to Whampoa on his own responsibility, being alive to the difficulties attendant upon a change of opinion on the part of the majority of the Committee.

58. To the Court of Directors, and to the Chinese government, the President would express himself in such terms, that the consistency of the majority of the Board could not be questioned; and as the President would not have changed his sentiments, he was willing to make the address from the Viceroy, of the 16th November, the basis of his proceedings, and he would be amenable to the Court of Directors for them, acting upon his own responsibility.

59. This proposition was negatived by the majority of the Board, and the course of proceedings recorded under date the 11th January put into action.

60. The President, in protesting against the proceedings above alluded to, deprecated them in the strongest manner; they held forth no prospect of advantage, no chance of effecting any change in the condition of our commerce, and gave a death-blow to an adjustment of our differences at the port of Canton, for months at least, if they did not become the means of effecting the ruin of the interests of the East-India Company in this quarter; it was highly improbable that a letter addressed to the Emperor by foreigners not recognized as a political body, criminating the highest officers of government in Canton, with their united interests to contend against, could effect any favourable object.

61. The observations of the Committee would attract attention towards the British nation by representations unaided by official dignity, so necessary to support a cause addressed to the highest authority in China, in which are impeached those persons especially appointed to carry into execution the very commercial laws which the  
Committee

\* Secret Consultations, January 11, 1830.

Committee are endeavouring to abrogate, and to substitute in their stead a code of their own creation.

62. Dissenting from the arguments conveyed in the consultation and in the despatch to the Governor General above alluded to, unwilling to implicate the East-India Company by his sanction to measures which he deems totally uncalled for and in every way reprehensible, conceiving that there is no act of the Chinese government, either commercial or political, to authorize such proceedings, the President gave his strongest and most unqualified dissent to them, as pregnant with manifold injuries, and incapable of presenting any advantages to the affairs of the Honourable East-India Company.

63. On the 15th January, the Committee assembled for the purpose of arranging the best mode of carrying into effect the measure of sending their letters to the Emperor, enclosed to the Viceroy and Hoppo of Canton, which it was proposed and agreed by the majority of the Board should be carried to the city gates by Mr. Jackson, attended by a party of 100 seamen, armed with cutlasses, under the directions of five commanders and ten officers.

64. The President having dissented from all the proceedings of the Committee, of which this measure formed a part, in their meeting on the 11th instant, objected particularly to the mode of delivering the address now about to be adopted by the majority of the Board, and proposed in lieu thereof that it should be given to the merchants for presentation in the usual way, so that if it were necessary for Mr. Jackson to be accompanied by a party of officers and men, that the party should not proceed on such a mission with arms, that it should be less numerous, and that it should consist of commanders and officers, and a few steady men, the whole not exceeding (50) fifty persons. The President considered this mode would be attended with better effect, and would have a more orderly and less tumultuous and hostile appearance, in carrying to the city gate a document of this description: but both these proposals were negatived, and the mode arranged by the majority of the Board was carried and adopted.

65. On the 1st of December last the President placed on record, that under the existing state of affairs in China, he could not consistently with his duty avail himself of the permission of the Honourable Court to return to England; he was induced to remain in the hope that he might be enabled to check the course of proceeding then in action by the majority of the Board, which he viewed as most detrimental, not only to the interests of the East-India Company, but even calculated to defeat the very objects for the success of which it was designed.

66. From time to time the President has contended against measures of such import, although he regrets to say ineffectually; he has been engaged in a constant, and to him most harassing opposition, in the hope of warding off the extremity to which the Honourable Company's affairs have now been carried; he has remained in his station until the final blow was struck, until orders were passed for the departure of the Honourable Company's ships, until the agency of force has been required from the Bengal Government, to compel the Viceroy of Canton to admit the imposition of the commercial code contained in the propositions of the Committee.

67. It is almost needless for the President to observe, that his view of the state of affairs in China, and the line of conduct which he advocated, have been rendered unavailing by the opposite opinions of the majority of the Committee; and as their measures have attained their ultimate result, as nothing further can now be transacted which the President could successfully oppose or advance, as the functions of his office necessitate

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necessitate him to be the medium of enforcing measures at entire variance with his views of the interest of the Honourable Company, and even fatal to them, and as so far from being able to avert their progress, the sanction of his name attends them; and as he feels, that under the circumstances of the case, he can no longer maintain with honour to himself that position which as President he ought to enjoy, and that the influence of his station can no longer serve the interests of the Honourable Company; he has determined to quit China this season, and to avail himself of the permission of the Honourable Court to that effect.

68. The President begs to apologize to you, Sir, for the length with which this letter has attained; he has carefully abstained from introducing any arguments or observations which have not appeared on his various minutes, in the secret consultations; nor should he have placed his sentiments in the form of a letter, but for the purpose of making them appear in a consistent and consecutive form; and he trusts that the line of conduct which his sense of duty, of reason, and his knowledge of the affairs of China, have induced him to adopt, will meet with your approval, and with that of the Honourable Court of Directors.

69. The President had purposed to conclude this address on the 18th instant; but in consequence of a reply having been received from the Viceroy on the 23d instant, the President is desirous to state the circumstances which have emanated from it, as a sequel to the measures he has previously narrated.

70. The letter from the Viceroy was accompanied by one from the Hoppo, each containing unopened the address to the Emperor, which was forwarded to Canton for transmission to Peking; both these officers declined, for the reasons specified in their letters, which form Nos. in the packet of our secret despatch to the Honourable Court under date January 28th, to become parties in forwarding our despatch to the Imperial Court.

71. The reply from the Viceroy has induced the Committee again to address that officer, and to recommence a negotiation which had to all appearances been closed by our last addresses to the Viceroy and Hoppo; and although the nature of the concessions and the spirit of the letter from the Viceroy are in no way dissimilar from the various edicts we have received from him since the 16th November, nevertheless a very evident change has been wrought in the state of correspondence now assumed by the Committee; it is in perfect accordance with the views which the President has throughout entertained on the subject, and he does not doubt that the tone of conciliation now adopted by the Committee, the abstraction of the propositions which the President conceives have militated against the attainment of the creation of new Hongts, and the contraction of our demands to that specific object, will be the means of shortly producing the resumption of our commerce.

72. The President begs leave to transmit, accompanying this despatch, the minute which he has recorded in consequence of the address to the Viceroy above alluded to; the measures which had partially caused his intended return to England are however in progress, nor in fact does there appear any certainty, even under the circumstances of the resumption of our commerce, that two ships are not destined to proceed still to the north with addresses to the Court of Peking; that the four frigates required through the medium of the supreme Government in India are not still to be expected; or that the train of circumstances dependent upon our address to the Governor-general of the 11th instant, have been in any way cancelled; and although our recent address to the Viceroy breathes a tone of conciliation which will doubtless lead to the material object of the resumption of our commerce, yet the injurious effects attendant

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attendant upon an adherence to the objectionable measures still unrevoked cannot but be expected; and the President does not therefore see any cause to swerve from his determination of proceeding immediately to England.

I have the honour to be, with the greatest respect, Honourable Sir,

Your most faithful humble servant,

(Signed)

W. H. C. PLOWDEN.

Macao, 28th January, 1830.

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Appendix, No. 17.

COPY of an EDICT issued by the Viceroy and Hoppo of CANTON, announcing the Commands of the Emperor, in reply to their MEMORIAL relative to the SUSPENSION of the COMPANY'S TRADE in 1829-30; received by the Select Committee on the 26th January 1830.

It does not appear that any Edict was received from the Viceroy and Hoppo of Canton the 26th January 1830, but there was an edict received that day from the Governor and Foo-yuen of Canton, which is recorded on the China Secret Consultations of the 27th January 1830, and which is as follows:

Edict by the  
Viceroy and Hoppo.

From the Governor and Foo-yuen, received January 26th, 1830.

LE, Governor of Canton and Kwang Se, and Loo, Foo-yuen of Canton, hereby in obedience to orders received, make known the following concerns:

WE the Governor and Foo-yuen on the 28th of the 10th moon, of the 9th year of Taou Kwang, having met together, joined in a memorial to the Emperor concerning the English foreign ships not entering the port, and on the means of controlling these English foreign ships.

On the 24th of the 12th moon (January 18th, 1830), we received an express from the Military Board, containing a letter from the great Council of War, to the governor of Canton Le, and to Loo the Foo-yuen, saying,

On the 5th of the 12th moon (December 30th, 1829) of the 9th year of Taou Kwang, we reverently received his Majesty's commands as follow:

Le has reported that the English foreign ships procrastinate, and do not enter the port, that he has ordered every precaution to be taken against them, &c. What he has reported is very right, of all the foreign nations that come to Canton to trade, the English foreign merchants are most domineering and proud.

On this occasion the said nation's chief supracargo and others, in consequence of the Hong merchants having, during successive years, shut up and stopped, being indebted to foreigners, repeatedly petitioned against them, and presented a series of propositions, which were examined and decided on. The said governor sent an official despatch, to bring back a merchant and prosecute him. He also ordered the Sze officers to deliberate carefully on the propositions, and ordered the Hong merchants

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to communicate his commands, to be implicitly obeyed. But the said foreign ships still staid about, and remained anchored off Macao, procrastinating and not entering the port; at last they presumed to drag in again the former propositions with whining and insulting disputation, in language not humble.

The merchant ships of that nation pay in duties, at the port of Canton, annually about 600,000 or 700,000 taels, which these foreigners estimate as an extraordinary commodity, which they may dwell upon, and seem utterly ignorant that the Celestial Empire really looks upon it as not of the least importance.

Besides, these foreign ships smuggle opium, smoke and dirt into the port, and sell it by stealth in the interior, whilst government money goes abroad, so that for the outside foreigners' rotten filth, they craftily obtain large gain, and the essential comforts of the interior are gradually squandered and wasted. We obtain little and lose much. It is impossible to express the injury that is done. It is absolutely necessary to make real exertions, and to examine strictly into the business.

On this occasion the said governor issued severe injunctions, in reply to the petition sent in. If these people do indeed become sensible of their error, repent and lead the ships into the port, then mutual tranquillity may be still preserved; but if, because what they desire is not granted, they perversely make difficulties, it is hereby ordered to disallow forthwith their (opening their hatches) *commencing* trade, and to expel them with severity. If for one or two years we receive less the duties on this nation's goods, it will be but a trifling injury to the national treasury; and since the foreign smoke (opium) will not come in nor government money go out, there will be really a great saving.

As to the said foreign ships being anchored off Macao, and foreigners' dispositions being a huge abyss, that precautions are indispensable, that the said governor has already made secret communications to Syeung Keal (the admiral) to order all the military stations, without making any noise or appearance, to be fully prepared and on their guard. In managing thus he has done very rightly. This affair, having a reference to outside foreigners, affects the honour of the country. The said governor must be steady and still, cautiously on his guard, in language stern, and in principles correct, to break their domincering and proud spirit, and to eradicate their exactions and deceitful schemes. He must not in the least-degree pass over to compliance, so as to lose great respectability.

As to what is contained in the said foreigners' petition about the fee levied without distinction on all ships whether large or small, and concerning which it is earnestly requested a distinction should be made, this may be deliberated on, and a change made. The said governor is hereby ordered to deliberate and report to me. Take these commands, and cause them to be made known. Respect this.

In obedience to the Imperial will, we (the Military Board) send forward this letter.

Coming to us the Governor and Foo-yuen, we forthwith inform by letter the proper officer, that he may immediately meet with the judge, and all concerned act in obedience thereto. Oppose not. One letter to the Pooching Sze, and a communication to the Hoppo.

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P. AUBER, Secretary.

## Appendix, No. 18.

COPY of the recent REPRESENTATION of the HONG MERCHANTS to the Chairman of the EAST INDIA COMPANY, on the probable Consequences of Terminating the COMPANY'S EXCLUSIVE TRADE to China.

COPY of an EDICT lately issued by the Viceroy of Canton on the same subject.

DESPATCH of the Chief and Supracargoes transmitting the above, as far as relates thereto.

Copy of a LETTER from the Hong Merchants of Canton to the Chairman of the East-India Company.

Representation  
of the  
Hong Merchants.

All the Canton Hong merchants present a Letter at the feet of the Honourable Superintendent (or Chairman) of the English Honourable Company.

A respectful notification :

Heretofore have been received protection and countenance, for which gratitude is engraven on our hearts to an inexpressible degree. Dwelling far away, our special prayer is, and consolation will be, that the honourable superintendent may, whether rising or at rest, enjoy a pleasing tranquillity, and a hundred forms of social felicity.

We junior brethren, have for a long time received the management of the Honourable Company's commercial affairs, and on both sides truth and justice have been reciprocally united. Scores of years have been as one day; for the trade of your honourable nation which comes to Canton has been all under the control of the Honourable Company's one hand, and for a long period there have been appointed to Canton a chief, second, third, and fourth, for general management of the commerce. Moreover, the Company's captains are all experienced gentlemen, selected and appointed by the honourable Court to come to Canton. Even the sailors of all the ships are selected and hired by the honourable Court (or Company); hence for a long period, those who have come to Canton have traded in mutual tranquillity. Even if any disturbance did occur, there were the Honourable Company's chief and the ships' captains to exercise control; a state of things different from that of other nations, who had no company. Therefore in our commercial dealings with the Honourable Company we have heretofore had fixed regulations, mutual confidence, and mutual tranquillity. Not only indeed in commerce, but even in public (or political) affairs, having the Company's concentrated responsibility, matters were easily managed.

But we have heard that the Honourable Company is limited to three years; that after three years the term will be completed, and then there will be a dissolution of the associated body. On hearing this we were exceedingly grieved. Why? For the following reasons :

The Honourable Company have annually not fewer than twenty, and more ships, all of them large ones, which come to Canton; traders and sailors not under several thousands. The captains of all the ships are old and long-experienced men, selected and appointed by the Company to sail and manage the ship and cargo; and for the sailors who come to Canton, there is the Company's chief at Canton to keep up a general

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control over them. Of these sailors there a great many whose tempers and habits are untractable, and whose natural dispositions are unyielding and fierce, fond of creating a disturbance, but having the ship captains and chief to exercise a control over them, and be responsible, heretofore there has never been any very great business fermented to completion.

Matters being thus, not only is the trade of the Honourable Company which comes to Canton easily done, but public (or political) affairs also are easily managed.

If after three years, the term of the Honourable Company be completed, and it be dispersed, then individuals of your honourable nation will every one produce capital and hire ships to come to Canton to trade. We imagine there will be scores of them. At that time the captains who come will all be hired by individuals: not like the Honourable Company's captains, all old and experienced gentlemen, selected to fill the situation. Beside traders and sailors, not fewer than several thousands, will not be men selected and employed by the Company, but good and bad will be mixed. Moreover, the men of your honourable nation are many of them by habit and nature unyielding and vehement (or fiery); if there be no Company's chiefs, nor Company's captains to exercise control over them, there will assuredly be constant disturbances; and it is possible some grand affray may be produced; and at that time there will be no Honourable Company to grasp it with a master's hand. Not only will the public affairs be pushed aside, and difficult to manage, but it is apprehended that the trade of your honourable country will be in danger.

It is not so well to find a remedy when the evil occurs, as previously to guard against it. We again, and a fourth time, have considered the subject, and only wish that after the Honourable Company's three years are completed, it will, as of old, be re-established; and that all affairs will still be managed according to the old regulations, that you and we may enjoy mutual tranquillity, and that there may be no mishap. Not only will commercial affairs be easily transacted, but should it occur that political questions arise, still, as heretofore, there will be the Honourable Company to grasp them with a master's hand, and there will be a concentrated responsibility. This is what is expedient for both parties; but the greatest advantage will be for your honourable nation's commercial intercourse with Canton.

Now, a change having taken place, and Mr. Marjoribanks, a man very intelligent and profoundly understanding what is just and reasonable, having come to Canton to fill the place of chief, we are very much rejoiced and consoled. From this, you and we shall reciprocally be more tranquil; and the Honourable Company's trade, as well as public affairs, will both be more prosperous. We write especially to communicate the above sentiments, and respectfully compliment the honourable chairman, wishing him every good which we do not narrate.

(Signed)

All the Hong Merchants:

HOWQUA.  
MOWQUA.  
PUANKHEQUA.  
GOQUA,  
KINQUA.

FATQUA.  
CHUNG WO.  
HENG THIE.  
SHUN THIE.  
YUN WO.

Taou kwang, 10th year, 12th moon, 11th day.  
(24 January 1831.)

Copy of an **EDICT** from the Viceroy of Canton.

Governor Le, in reply to the Hong Merchants, who anticipate the dissolution of the Company, dated January 16th, (received 19th) 1831.

LE, Member of the Cabinet, Vice-President of the Military Board, Governor of Canton, &c., to the Hong Merchants, &c.

It is now authenticated, that the said Hong merchants have presented the following statement :

" We humbly examine and find, that the ships of all the foreign nations which come to Canton to trade, every one provides funds, and buys and sells individually. But the English have established what is called a Kungpanya (an equitable managing court) or company, and the trade of the whole nation (with China) is placed under the control of its one hand. Of the trade at Canton, and the ships which come thither, that nation's are also the largest. It sends annually in regular succession twenty, or more than twenty ships.

" The said Kungsze (which is another term to denote the Company) deputed also a chief, second, third, and fourth, constituted persons, who come to Canton for the general superintendence of the Company's commerce; and all foreign merchants belonging to that nation are made to listen to the chief's restrictions. As to the regions of India which are subject to the government of England, all Indian foreign merchants coming to Canton to trade, are subject to the authority of the English Company's chief. If they make any disturbance, or cause any irregularity, they also are controlled by the said chief. It is in consequence of all affairs thus reverting to his one responsibility, that for a long period of time there has been mutual tranquillity.

" We the Hong merchants have now heard, that the existence of the said nation's Company is limited to three years more. This limit corresponds to the 13th year of Taou Kwang. When that period is completed, it will be dispersed. After the 13th year, no more Company's ships will come to Canton.

" But the said nation's coming to Canton is solely for the purpose of trade; and when the Company is dispersed, the foreigners of that country will be compelled by circumstances to advance funds individually, to hire small ships, and come to Canton to trade themselves. If they trade individually affairs will not be subject to one control, and if affairs be not subject to one control, responsibility will be no where.

" During one year there are not fewer than fifty or sixty ships from England and India; and of foreign merchants and sailors there are not less than several thousands. These sailors are by disposition and habit intractable; they are naturally unyielding and fierce, and unless they be under the government and restraint of some individual, there is a great probability of opposition to, and violation of government orders; in which case, although the reprimands of government may be received, and the proceeding be carried even as far as the cutting off of the trade, where will be the advantage to public affairs?

" We the merchants, providing against the evil, do not dare to go on in a careless and trifling manner; neither do we dare to conceal the business from higher authority; therefore we feel it incumbent on us to look up and entreat the governor  
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to look graciously down and consider the commerce between Chinese and foreigners, that it may be preserved in mutual tranquillity without disturbance.

“ At present, the last division of the said nation's Company's ships is about to leave the port and return home ; we, prostrate, beg that you will condescend to confer an edict, enjoining the said nation's chief, Marjoribanks, early to send a letter home, to communicate it to the said nation's King ; that if hereafter the said nation's Company be dissolved, will there, as heretofore, be appointed a chief to come to Canton, to have the general management of the affairs of the said nation's foreign merchants and ships which come to Canton ? If no such chief come to Canton, there will be no concentrated responsibility ; and since, if the said nation's country ships and foreign merchants come to Canton to trade, the ships being many, and the men not few, in the event of any silly, foolish, ignorant opposition to and violation of the commands of Government, after all, who will be responsible ?

“ The Celestial Empire's laws and regulations are awfully strict, and will not admit of the least infraction. The said nation must be ordered to make previous and safe arrangements ; then hereafter public affairs will have a head to revert to, and responsibility will not fall upon bystanders. Thus it may be hoped the commerce of the foreign merchants may go on tranquilly, and when the time comes to act, excuses be prevented.

“ Whether our simple obscure views be right or not, we, prostrate, submit and wait till they be examined, the request granted, and orders given to be obeyed. This is really both just and expedient. Should we have to give thanks for the favour of compliance, we, the merchants, will wait till we receive the important commands, and forthwith respectfully transcribe them, and communicate the orders, &c.”

This coming before me, the Governor, according to the proof it affords, I have examined, and thus decide.

The English nation has heretofore appointed a chief to come to Canton for the general management of commercial dealings. If, indeed, after the 13th year, the time of the Company be fulfilled, and it be dispersed, the said nation no doubt ought, as before, to appoint a chief to come to Canton to manage. But what is said in the present statement about separation or dissolution of the Company, is merely report heard by the said merchants. Whether it be really true or not still remains uncertain. However, that which is stated arises from public motives concerning the future, and it is incumbent to make previous arrangements.

As the above-named statement has been presented, I unite the circumstances, and hereby issue an order to the said (Hong) merchants, that they may forthwith enjoin my commands on the said nation's chief, early to send a letter home, that if, indeed, after the 13th year of Taou Kwang the Company be dissolved, it will, as heretofore, be incumbent to deliberate, and appoint a chief who understands the business to come to Canton for the general management of the commercial dealings, by which means affairs may be prevented from going to confusion, and benefits remain to commerce. Oppose not ! Hasten, hasten !

These are the commands.

Taou Kwang, 10th year, 12th moon, 3d day.  
(January 16, 1831.)

Extract LETTER from the Select Committee at Canton to the Court of Directors, dated 26th January 1831.

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Para. 2. We avail ourselves of this the latest despatch of the season, a season the early conclusion of which is, we believe, without a precedent, to offer to your Honourable Court some observations in reference to the general system on which your affairs in this country are conducted. Previously to doing so, we beg to acknowledge the receipt of your separate instructions, under date the 26th of May, by the Honourable Company's chartered ship Ann and Amelia, to express our acknowledgments for the confidence which you have been pleased to repose in us, and to assure you that no endeavour on our part shall be wanting to prove that that confidence has not been misplaced.

3. On our accession to the situation which we now fill, an impression was evidently made on the mind of the Chinese government, and very generally existed in Canton, that as the conduct of our predecessors in the past season was characterized by an opposition to its inclination, the course which we pursued would be marked by an implicit obedience to its will. In the intercourse which we have had with the Canton authorities, it became therefore most desirable to evince to them that such was neither our own disposition, nor consistent with the commands of those whom we represented.

4. We have already stated to your Honourable Court, that it will remain our anxious endeavour to preserve in uninterrupted tranquillity our relations with the Chinese government; and that we believe this important end will be best attained by a conduct temperate, yet firm and decided. We feel that we cannot too often repeat, that our national credit and commercial interest are, in China, so strictly and closely allied, that no injury can be inflicted on the one, without immediate reaction on the other. We feel satisfied that this union has been maintained by the existence of your exclusive privileges, and that the high name and reputation of the East-India Company have enabled its representatives, in defiance of the threats of despotism, and in opposition to the oppressions of corrupt government, to preserve an independence of character, which without such representation British mercantile interests in China could never have enjoyed.

5. We mention this in no tone of exultation, for we are too ready to admit that our country, whether in the person of its ambassador, or in that of any other representative, has never yet received that consideration from the Chinese government to which it is entitled; but we mention it as an admission due to truth, when we contrast our present condition with what it would have been, had British commercial interests been distracted by individual competition, and the preservation of national character been abandoned to persons whose undivided object was the profits arising from their trade.

6. We feel convinced that this never can be the sole object of your Honourable Court, or of your servants in this country. We never will sacrifice important interests to the attainment of inferior ends; but we never will sacrifice a strict adherence to principle for the attainment of any ends whatever. In adopting such a course of conduct, we believe we shall only discharge our duty.

7. We feel confident that the general principles which we have laid down for our guidance, will meet the approbation of your Honourable Court. We at the same time admit, that the very peculiar character of this government, and the rigid nature of its institutions, must be borne in remembrance. We believe that its violent and dictatorial proclamations are often a tribute which its authorities are compelled to pay to



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to national vanity; they are many of them daily issued and disregarded. But however intemperate they may be in language, nothing is further from our inclination than to enter into such competition with them. In this respect we trust that the Chinese government may long surpass us.

8. We conceive that temperance of expression, as well as just allowance for national prejudices, is perfectly consistent with firmness of conduct; nor will we suffer any proclamations, however irritating, to lead us to imitate what we are ourselves so ready to condemn. In confirmation of the advantage arising from this course, we may quote in example an occurrence of the present season, when the governor of Canton addressed to us a proclamation denouncing punishment, and even death against Mr. Baynes, the late chief of the Factory, claiming a right of interference with the appointment of your servants in China, and containing many other most intemperate expressions.

9. In our reply, we took the liberty of acquainting his excellency, that we presumed he had proceeded on a total misinformation in respect to the English character, which was at all times incapable of being affected by threatening language; that we never could be, under any circumstances, susceptible of such an influence; that we distinctly disclaimed all Chinese right of interference with the nomination of Company's servants; and that the terms which he had used towards Mr. Baynes were to us altogether unintelligible, as applicable to any English authority. We expressed to him at the same time, our wish at all times to address him with the respect due to the eminent situation which he filled. We received a reply from his excellency in very modified terms and temperate language.

10. The experience which your Honourable Court has had of the Chinese character in the history of the past intercourse of your servants with this country, will forcibly suggest how impossible it is to apply to it the principles which regulate the governments of other civilized nations; those which peculiarly belong to it as influencing our situation here, are its exclusive nationality, its corrupt constitution, its anxiety to preserve unimpaired British intercourse with China, and its apprehension of what might be the consequences, were that intercourse, by any act of its own, interrupted.

11. To its nationality must be attributed that tone of haughty dictation which in common with most oriental governments it assumes, which is most conspicuous in official proclamations, issued frequently without any expectation, often without any wish, that they should be attended to. To its corruption much more serious evils must be ascribed, which affect our commercial interests in the continual oppressions of all natives connected with foreign trade: but upon its anxiety to preserve amicable relations, and its apprehension of the consequences were these suspended, we believe we must principally depend for its favourable disposition. It is well aware of the advantages which result to China from British commerce; it is equally convinced of the power and resources of a nation conducting a foreign trade of such important magnitude; while the near approach of the confines of your Indian empire to that of China has excited sensations which will only tend to induce it to draw still closer the restrictions of its exclusive policy.

12. We believe that the existence of a powerful and influential body in your representatives in this country has opposed the only check to the evils and embarrassments to which foreign commerce is continually exposed. We believe that no effectual remedy will be found for them until it suit the purposes or policy of Great Britain to assume in its turn the attitude of dictation, which would readily demonstrate the weakness of this government. We do not hesitate to express this opinion, though we wish your Honourable Court to believe that the possession of such an opinion can in

no wise alter our resolution to conduct your affairs in this country in a conciliatory and amicable spirit.

13. It is with much satisfaction that we inform your Honourable Court that we see before us only a prospect of uninterrupted tranquillity, the principal foundation of which is the regularity of system which the concentrated influence of the Company has established, and the advantages of which have lately been distinctly acknowledged by the Chinese government itself, in a public proclamation, which we have the honour to transmit by the present despatch. By this it appears that the Hong merchants had represented to the governor of Canton, that in a few years the East-India Company would be dissolved, and it was reported that some changes might take place in the mode in which English commerce with China had hitherto been conducted.

14. It would appear that his excellency viewed it in the light of a mere report; but from his observations it is evident that the Chinese government would not consent to acknowledge any other authority than that to which for a long series of years they had been accustomed, which combined a commercial with a political control. It is rarely and reluctantly that the government of China interferes with affairs beyond the precincts of its own dominion; the public proclamation in question may therefore be received as a powerful indication of the interest which it takes in British commerce, and the opposition it would offer to any material change in the system under which it had hitherto been conducted.

15. The wealthy and most respectable Hong merchants express themselves in terms of great apprehension of the confusion and embarrassments which would inevitably be the result, were a number of small ships and the numerous individuals who would necessarily be concerned with them, to be permitted to resort to Canton. The Hong merchants have addressed to your Honourable Court a letter upon this subject, which, accompanied with a translation, we have likewise the honour to forward by the present despatch. We beg distinctly to state that the idea of addressing your Honourable Court originated entirely with themselves.

16. We have seen it asserted that the exclusive privileges of the Company have preserved the monopoly of the Hong merchants, and prevented the trade in Canton from becoming one of free competition. We believe that no assertion was ever more unfounded, and that the power and influence of the Company have presented the only obstacle to the Hong having long ago become a closely restricted government monopoly.

17. It is only within these few days that the Hong merchant Howqua, the most wealthy and intelligent member of the body, stated to us the great advantages which would result to himself and colleagues, from a free trade to this country, could they be secure against the certain embarrassments and confusion which would arise from it. His observation was to this effect: "Do you think that the Hong merchants know so little of their own interest, as not to take advantage of the individual competition of British merchants with each other, and make them pay what prices for teas we thought proper?" That your representatives here are placed in a very different situation, an occurrence which has taken place within the last few days also, is sufficient to demonstrate, when we have been enabled, in fixing the prices of the winter teas, before the most profitable part of the Company's investment, to reduce the rate of appreciation, by which a gain is exhibited, as contrasted with previous years, of upwards of 100,000 taels.

18. We are ready to admit the facilities with which foreign commerce in Canton is conducted, arising in part from the great industry and ingenuity of the people of this country, which is strongly contrasted with the corrupt nature and weakness of its government. But these facilities in great measure arise from the confidence which

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has been established in commercial dealings with the Hong merchants, a confidence which we do not find extending itself to other native institutions, and which we believe has been communicated by the strict principles on which the affairs of the Company have been conducted. The word of your representatives in China is always received without any written acknowledgment, and even in instances where large sums have been owing by the Company, neither bonds nor written engagements of any kind have been required.

19. It would be injustice, while adverting to the advantages which have arisen to British interests from the existence of the East-India Company in China, not to ascribe the merit which is justly due to the naval department of its service, more particularly in a season where its discipline had been put to no ordinary test, by the residence of a hundred and fifty armed men in Canton, as a guard to the Factories. The duty of your representatives here would be of a very different kind, did we not at all times receive from the commanders and officers of the Company's ships the most ready compliance with our instructions, and did they not possess a knowledge, which experience can alone afford, of the character of the Chinese, and of the established routine of duty, so essential to be preserved in the delivery and reception of extensive cargoes.

20. We may here observe, that more embarrassment and inconvenience frequently arises to us from one small chartered ship, than from the whole of the Company's regular fleet together: such is the discipline preserved on board your ships, that notwithstanding the provocations to which the seamen, whose daring and determined character is too well known to require observation, are incessantly exposed, not a single instance of homicide (with the exception of a Chinese accidentally shot by an officer) has occurred for upwards of twenty years; and scarcely a serious disturbance. We need not point out to your Honourable Court, that no orders of ours could have accomplished this end; but that we are indebted for it to the character and conduct of the officers by whom your ships are commanded.

21. It becomes our duty to offer our opinion, as to the invaluable nature of so well regulated and respectable a service in this peculiar country. We are aware of its expensive equipment when contrasted with the common run of merchant vessels, but we are satisfied at the same time, of its superior efficiency. We believe that the lives and property embarked on long and distant voyages, are in great comparative safety; and we are satisfied that nothing has contributed so much to the preservation unimpaired of our intercourse with China, as its regular and well-ordered discipline.

22. We abstain from entering into detail of the numerous arguments which could be adduced in favour of the continuance of the exclusive privileges of the Company in their trade to China. We have been induced to offer the foregoing observations, as suggested by the proclamation of the governor of Canton, and the letter of the Hong merchants. One point, however, which has hitherto escaped attention, but which daily forces itself upon our notice, is, that Canton being a place where no law court exists for the recovery to foreigners of property due by their own countrymen, is likely to become a refuge both from India and Europe of broken and bankrupt merchants, who may reside here in safety beyond the reach of prosecution by their creditors. Such a result would inevitably be the consequence of an unlimited resort of British subjects to Canton; and we cannot point out in too strong terms, the serious injury both to our national character and commercial interests, which would necessarily arise from the residence here of men bankrupt in property and character.

23. Having lately observed assertions very boldly advanced in evidence before the House of Commons East-India Committee, of the success which had attended a forced trade on the coast of China, we were apprehensive that your Honourable Court must have

have deemed us extremely remiss, in not having brought the circumstance peculiarly to your notice. As much of the information in question was, however, new to us, we have made every inquiry of the agent, a man of most respectable character, who was mentioned as principally concerned in it. The reply which we received from him, and which now lies in writing before us was, that "the evidence is a tissue of inaccuracies." Did this require further confirmation, it might be found in the fact, that such adventures have not been persevered in.

24. Understanding that the ship "Merope" had in this last season proceeded along the coast, we applied to an intelligent British agent who had been interested in the voyage, for any information which he possessed upon the subject. We quote from his reply, which is before us: "The accompanying letter from Captain Parkyns will give you a better idea than I can of his last unsuccessful expedition to the eastward. He sailed on the 6th of July, and returned on the 31st of August, with the loss of all his anchors in a typhoon off Formosa. He had on board 450 chests of opium, of which he sold only about 15,000 or 16,000 dollars' worth, for which he received broken dollars. He had no other traffic besides opium; nor have any of the vessels which have gone to the eastward, been ever able to deal in any other article, unless occasionally in a little saltpetre. No other vessel went to the eastward last year." Captain Parkyns is a Lieutenant in his Majesty's Navy, and a man of intelligence and enterprize, and not a likely person to fail where others had succeeded. His letter above mentioned, which we have before us, is a private one, describing the dangers which he encountered, and the narrow escape which he had from shipwreck; the only allusion to the success of his expedition is the following: "We have only sold a few chests of opium at but indifferent prices: Patna 860 dollars, Benares 870, and Malwa 652."

25. Such has been the result of a trade which we perceive is stated in evidence before a Parliamentary Committee as likely to become one of important magnitude. We confess we were in no small degree startled with the boldness of the assertion, that the viceroy of a Chinese province had paid a visit on board a foreign smuggling vessel on the coast.

26. We have already acquainted your Honourable Court with the greatly increased extent of the opium trade in China, carried on in defiance of official proclamations, under the connivance and, frequently by the very instrumentality of the officers of government appointed to put it down. The ships engaged in it now remain anchored at the island of Lintin, and in its neighbourhood, throughout the year, unmolested by the Chinese war vessels. The traffic is not confined to opium, but extends to articles of every description. Reports are regularly made by the native pilots to the governor of Canton of the number of vessels engaged in it. It never can be a recognized trade; but it is now to all intents an established one, and affords one of the most remarkable instances in this, or perhaps in any other country, of the weakness and corruption of a government.

27. The establishment of the trade at Lintin has nearly entirely annihilated that of the Portuguese at Macao; the government of which was, we are informed, lately desirous of declaring it to be a free port, but was prevented from doing so by the interference of the Chinese, who have ever denied any right existing in the Portuguese to the possession of the settlement. It is fast falling to decay, and but for the residence of other foreigners, would be little better than a fishing village, inhabited by a bigotted and impoverished population.

28. It is with much satisfaction that, amidst the decline of other foreign trades to this country, we have to congratulate your Honourable Court upon that of the Com-  
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pany maintaining its character unimpaired, and English commerce generally with China being in a prosperous condition.

29. The American trade with China which we have seen with surprise recommended by some persons as a model for English imitation from the principles on which it was conducted, has this season exhibited a most remarkable decline. Since the month of June last only six American vessels\* have been at Whampoa, the smallest number of any season within our remembrance. The average size of these vessels is about 400 tons. The importation of bullion, formerly so large a branch of trade in American bottoms, has this season been only to the trifling amount of 56,000 dollars.

30. Of the Dutch trade to China the following description is given by the Netherlands consul, in an address to the governor of Canton last season.

"For many years the trade of Holland with the empire of China was considerable. Many ships annually came, bringing goods from Holland, or its colonies, but the principal object was always to purchase cargoes entirely the productions of China, and I am happy to say that no difficulties have ever existed between the two countries. Formerly our connection was advantageous to both parties; but since the expenses and the duties which are demanded on our ships and our merchandise, whether imports or exports, have considerably increased, the cohong has not preserved the merchants which the government had fixed, from whence it results that commerce has become more limited, and its advantages less, and insensibly that of Holland has so much diminished, that it has become almost nothing."

31. Such is the picture of the Dutch trade, given last season by the Netherlands consul. The company erected by royal patronage in 1824, has been altogether unsuccessful in its adventures to China, and we are informed from the best authority here, has sustained most serious losses. Only one ship belonging to the company, the "Peter and Karl," of 300 tons, has come this season to Canton; there have been three other Dutch ships in the river, *viz.* the "Zeemanshoop," still at Whampoa, bound for Europe, and the "Charlotte," of 150 tons, and "Experiment," of 188 tons, traders between Java and China.

32. The French trade with China is now on too reduced a scale to be regarded as an important branch of national commerce. There have been five vessels here this season under the French flag besides the corvette "La Favorite," of which the following is a brief description:

"Euphemie," 614 tons, lost at Lintin; brought cloves from Bourbon.

"Camille," 400 tons, from Havre; brought 200 bales French broad cloth, of lighter texture than English, but nearly of same quality; received a mixed return of teas and other goods.

"Fletes," 220 tons, from and to San Blas; brought dollars for purchase of return cargo of silk.

"La Rose," 390 tons, came in ballast; is now in the river receiving a return cargo of tea, about 3,500 chests, and silks, on account of an American merchant, by whom she is freighted.

"Courier de St. Denis," 390 tons; brought cloves from Bourbon, received a return cargo of lacquer-ware, &c. to the value of about 20,000 dollars.

	Tons.		Tons.
* Ship Alert.....	397	Ship Panama.....	465
Brig Delight.....	230	— Franklin.....	395
Ship New Jersey..	514	— Walter.....	475

33. The Spanish trade with China is now almost too insignificant to make mention of, being confined to the traffic in vessels of very small burthen between Manilla and Macao. The Spaniards possess the nominal privilege of trading with Amoy, in the province of Fokien, but when attempted have been so subjected to the oppressive exactions of the government, that they have been compelled to abandon it. Within these few weeks the principal Spanish authority in China has publicly advertised the bankruptcy of the firm with which he was connected.

34. We have entered into these few particulars of the trade as now carried on by other foreign nations with China, being anxious to place your Honourable Court in possession of its present condition. The American commerce will probably again revive, but the depression under which it suffers is attended with most serious losses to Chinese merchants who had speculated on its continuance. As far as a tea investment is concerned, good teas would never be brought from the provinces where they are produced, to meet so fluctuating a demand. We believe it has been of late years only the regular demand of the Company which has ensured a corresponding regular supply; we mean of teas of a sound and good quality.

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East-India House,  
29th August, 1831.

WILLIAM CARTER,  
Assistant Secretary.

Appendix, No. 19.

COPIES OF EXTRACTS of all DESPATCHES sent to India by the Court of Directors since the passing of the Act 53 Geo. III. c. 155, relating to the REDUCTION of the CUSTOMS and INLAND DUTIES in India, and of the Proceedings had thereupon.

BENGAL :—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William, in Bengal.

29 July 1814.

Para. 1. IN consequence of the 25th, 98th, and 99th sections of the Act 53 Geo. III. c. 155, we have been lately occupied in revising the existing regulations respecting the customs and duties payable on importation, exportation and transit, for the purpose of equalizing the public burthens, and giving every possible facility to the trade of India. In conveying to you our instructions on this important subject, we shall confine ourselves, on the present occasion, to the trade between India and this country, as it may be carried on under the late Acts of Parliament.

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tions to Bengal.

2. The duties on the foreign trade, as well as the rules by which that trade is governed, are to remain on the present footing until all the arrangements consequent upon the treaties of peace shall have been completed.

3. With respect to exports from the United Kingdom to India, in British registered ships, or India-built ships trading under the provisions of the 30th section of the Act 53 Geo.

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tions to Bengal.

53 Geo. III. c. 155, and the subsequent acts containing those provisions, we direct, with a view to encourage the export of the staples and marine stores of Great Britain, that the import duties now payable in India on the importation of the under-mentioned articles shall be abolished, if the articles be imported from Great Britain or Ireland in British ships or Indian-built ships, as aforesaid.

On woollens, including cloths of sorts, blankets, hose, Guernsey shirts, caps, and every article manufactured from woollens or worsted, thread or yarn.

On metals, whether copper, tin, iron, steel, or lead, the produce of the United Kingdom.

On canvass, cordage, and other marine stores, the produce or manufacture of the United Kingdom.

4. But the articles above mentioned, if imported otherwise than according to the provisions of the acts regulating the direct and circuitous trade between the United Kingdom and India, are to pay the present duties.

5. Other exports from the United Kingdom to Bengal, of articles the produce or manufacture of the United Kingdom, to pay a duty of  $2\frac{1}{2}$  (two and a half) per cent. only: but all articles being the produce or manufacture of foreign Europe, to pay a duty of 5 (five) per cent.

6. As an exception, however, to the foregoing rule, we deem it expedient that wines and spirits shall continue to pay the present rates of duty.

The duties directed to be levied in the preceding paragraphs having been paid at any one port, the articles so paying to be exempt from any further duty upon transit from port to port.

7. With respect to duties on exports, the produce of Bengal, in British and Indian ships, to the United Kingdom and to foreign ports, we think it expedient to prescribe the following modifications.

8. Indigo, the produce and manufacture of our own territories, to be allowed a drawback on exportation in British-built or Indian-built ships trading with this country, directly or circuitously, under the late acts, equal to the whole amount of the duty previously paid.

9. Indigo, the produce of the territory of any native prince, is to be allowed the same drawback only as the produce of our own provinces, although the duty paid may have been higher.

10. We desire it may be clearly understood that the drawbacks are to attach only to exports by sea to the United Kingdom, and are by no means to be granted on the carriage of indigo to any foreign settlement in Asia.

11. A drawback of the whole duty to be also allowed on cotton-wool, hemp, and sunn, the produce of any part of India, upon exportation to the United Kingdom.

12. On all other articles of export, including saltpetre, such a drawback to be allowed on export as will leave a duty upon the export, in no case exceeding  $2\frac{1}{2}$  (two and a half) per cent.

13. Nothing in our present orders is to be construed to affect the inland and transit duties, payable under Bengal Regulation IX, 1810, and Regulation I, 1812, except in regard to cotton-wool, the duty on which must be reduced, so as not to exceed 5 per cent. upon the value.

14. You are requested to state for our own information on what footing the ships and vessels belonging to native powers, Asiatic or African, stand in regard to the payment of duties on imports and exports; whether in this respect they are on the footing

footing of British or foreign European bottoms, and whether any distinction is made between the different Asiatic and African flags.

15. We direct that no higher duties shall be levied at Madras on India produce exported, or European produce imported, than those which we have already prescribed for Bengal; and that the same principle should be applied to the internal transit duty upon cotton.

16. The perplexity in the Regulations to which we called the attention of the Governor in Council at Fort St. George, in our commercial letter of the 9th February last, is necessarily occasioned, in part, by the mixture of the inland and sea duties, and by the different rates established at the presidency and at the out-ports. This defect, however, may be remedied, in some degree, by the formation of tables of duties and drawbacks, to be annexed to the Madras Custom Regulations, similar to those annexed to Bengal Regulation III, 1811.

17. Clause 3\*, Section XIV., of Madras Regulation I, 1812, is obscurely worded; but if it was thereby intended to exempt the Company's commerce from the payment of duties, it must be rescinded, as incompatible with the provision contained in the 24th section of the Act 53 Geo. III, c. 155.

18. Section VIII. of Madras Regulation IV. of 1812, must likewise be repealed, in conformity with the orders conveyed in the 63d paragraph of our political despatch, dated 23d February, 1813.

19. We have been surprised and greatly displeased to find that the orders contained in our separate letter, dated the 3d August, 1808, enjoining the imposition on the trade of foreigners of double the amount of duty payable by British subjects, never have been carried into effect by the government of Bombay. A Resolution, indeed, stands recorded on the Public Consultations of the Governor in Council at that Presidency, ordering the custom-master to draft and submit, without delay, a specific Regulation in conformity with our instructions; but no such Regulation has ever been transmitted; you will, therefore, desire the Governor in Council at Bombay forthwith to repair this omission, and to explain the reasons why our former orders have been disregarded.

20. The general instructions we have already given respecting the rates of duties at Madras, are to be considered as equally applicable to Bombay; but it is to be distinctly understood in both cases, that these instructions are not to be construed as authorizing the *increase* of any existing duty, whatever may be its present relative proportion to that which is established at Fort William, but that the Bengal rate is to be a maximum which is not on any account to be exceeded at a subordinate Presidency.

21. Copies of this despatch will be forwarded to the governments of Fort St. George and Bombay respectively; but you will not fail to make such communications to the other Presidencies, as may appear conducive to the proper execution of our instructions; and when the Regulations for the subordinate Presidencies shall be framed, with reference to the principles above laid down, and the observations already made, they must be transmitted for your consideration; and you are hereby directed to communicate whatever remarks upon them you may deem advisable, and what modifications you may think fit. These suggestions must be taken into consideration, and such amendments made in consequence as may appear to the subordinate governments

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\* "Articles of European imports sold at the Company's sales shall pass free on the production of a certificate to that effect; also goods, the property of the honourable Company, on a certificate from the proper officer."



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ments to be right, and should they see grounds of objection to any modification suggested by you, they must state the objection for your farther deliberation.

22. Our orders, in regard to the reduction of duties and allowances of drawbacks, are to be forthwith carried into effect by the authorities in India, without further reference to us; but any modification or regulation not specifically authorized in this despatch, must be submitted to us previously to its promulgation in India.

We are your affectionate friends,

(Signed) W. F. ELPHINSTONE.

D. SCOTT.

J. INGLIS.

A. ALLAN.

J. JACKSON.

S. TOONE.

J. B. TAYLOR.

C. MARJORIBANKS.

S. DAVIS.

J. HUDLETON.

J. DANIELI.

R. C. FLOWDEN.

J. A. BANNERMAN.

London, 29 July, 1814.

REVENUE.

Letter from  
Bengal.

To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East-Indies.

Honourable Sirs :

26th August 1815.

Revenue Depart-  
ment, Bengal, &c.  
Customs.

WE have the honour to transmit to you (eight) copies of a Regulation\* this day passed by us, for the purpose of carrying into effect the instructions contained in your honourable Court's letter of the 29th July 1814, respecting a modification, in certain instances, of the duties hitherto established on imports and exports.

2. On the 10th February 1815, shortly after the receipt of the above-mentioned letter, we directed the Board of Revenue to prepare for our consideration the draft of a Regulation for modifying the duties of customs, on the principles prescribed by your honourable Court; the draft of the Regulation required was brought under our consideration at the meeting of Council, holden on the date specified in the margin,† when we requested the governments of Fort St. George and Bombay to communicate to us the rules which they might think should be adopted in pursuance of the instructions above noticed; copies of the letter and of its enclosures, from the Board of Revenue, submitting that Regulation, and of the letter which we in consequence addressed to the governments of Fort St. George and Bombay, are enclosed for the information of your honourable Court.

3. On the 5th of April we received a letter from the government of Bombay, informing us that they had, immediately on the receipt of your instructions, reduced the former rates to the prescribed standard, although they had not deemed it advisable to alter the existing Regulations, until they should be furnished with our sentiments on the draft transmitted by them for that purpose.

4. A copy of the correspondence which has passed between that government and us, is enclosed, for the information of your honourable Court.

5. The government of Fort St. George has, we understand, followed the same, or nearly the same course, but we have not yet received any official communication from them on the subject.

6. Copies of two letters addressed by us to the government of Fort St. George, on the 5th instant and the present date, are enclosed for the information of your honourable Court.

7. Not

\* Regulation IV. 1815.

† 25 March 1815.

7. Not deeming ourselves warranted, under the circumstances above detailed, to suspend any longer the establishment of the rates of duty prescribed by your honourable Court, we have this day passed, as already noticed, the Regulation, of which the enclosed are copies, for the purpose of giving effect to your instructions.

8. In pursuing the course described in a preceding part of this despatch, we conceived it to have been your intention that the different governments in India should form in concert an uniform and consistent plan for the collection of the Customs on the principles prescribed by your honourable Court, and that Regulations should then be passed simultaneously at the different presidencies for the purpose of giving effect to your instructions. It will appear from the above recital, that we proceeded in the discharge of the duty committed to us as fast as the ordinary forms of office would permit; and we confess that we never could persuade ourselves of the necessity of accomplishing the object in view otherwise than in the ordinary form of a legislative enactment, after mature deliberation and an unreserved interchange of sentiments on this important subject. The governments of Fort St. George and Bombay having, however, taken a different view of the subject, it will of course rest with your honourable Court to judge whether they or ourselves have put the right interpretation on your instructions.

9. As immediately connected with the subject of this despatch, we enclose copies of four letters addressed to us by some of the merchants of Calcutta, soliciting that the Regulation which might be eventually passed should have a retrospective operation, and of the replies which we deemed it proper to make to those letters. This correspondence appears to merit the particular notice of your honourable Court.

10. With reference to the 14th paragraph of your Honourable Court's letter on the subject of the footing on which the ships and vessels belonging to native powers, Asiatic or African, stand in regard to the payment of duties on imports and exports, we beg leave to refer your honourable Court to our despatch of the 9th of August 1811,\* in which it is stated, that the ships and vessels above alluded to are on the same footing with British ships, and pay the same duties on imports and exports; and that no distinction exists in that respect between Asiatic and African Flags.

11. The accompanying Regulation contains some rules of minor importance, for the conduct of the duties of the Custom-house, not connected with the instructions of your honourable Court, but founded on suggestions received from time to time from the Board of Revenue.

We have the honour to be, honourable Sirs,

Your most faithful humble servants,

(Signed)

N. B. EDMONSTONE.  
ARCHIBALD SETON.  
G. DOWDESWELL.

Fort William, 26th August 1815.

\* Paragraphs 5 and 6.

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## A. D. 1815.—REGULATION IV.

A REGULATION for modifying some of the Provisions at present in force for the collection of Customs on certain articles of commerce, in the territories immediately dependent on the Presidency of Fort William : passed by the Vice-President in Council, on the 26th August 1815 ; corresponding with the 12th Bhaddoon, 1222, Bengal era ; the 7th Bhaddoon, 1222, Fussyly ; the 13th Bhaddoon, 1222, Willaity ; the 6th Bhaddoon, 1872, Sumbut ; and the 20th Ramzan, 1230, Hijree.

**Preamble :—**WHEREAS it has been considered expedient, with a view to encourage the exportation of the staples and marine stores of Great Britain, that the import duties now payable at this presidency on sundry articles should be abolished, provided that the articles be imported from Great Britain or Ireland, on British registered ships, or Indian-built ships, trading under the provisions of the 30th section of the Act 53 Geo. III. c. 155, and other subsequent Acts ; and that the duties on other articles, being the produce or manufacture of the United Kingdom of Great Britain and Ireland, should be modified ; and whereas it has further been deemed expedient to modify and alter the duties now levied on goods, being the produce of the British territories under this presidency, on their exportation to the United Kingdom of Great Britain and Ireland on British and Indian-built ships, and to make certain other alterations in the Regulations for the collection of the customs ; the following Rules have therefore been enacted, to be in force throughout the territories immediately subject to the presidency of Fort William from the date of the enactment of this Regulation.

## IMPORTS.

II. Woollens, including cloths of sorts, blankets, hose, Guernsey shirts, caps, and generally all articles manufactured from wool or worsted, thread or yarn, which may be imported from the United Kingdom of Great Britain and Ireland on British registered ships, or Indian-built ships, trading under the provisions of the 30th section of the Act 53 Geo. III. c. 155, and other Acts containing similar provisions, shall be exempt from duty, anything contained in any former Regulation to the contrary notwithstanding.

III. Copper, tin, iron, steel, lead, and all other metals in an unmanufactured state, being the produce of the United Kingdom, if imported in the manner specified in the preceding section, shall also be exempt from duties.

IV. Canvas, cordage, and other marine stores, being the produce or manufacture of the United Kingdom, if imported in the manner specified in section 2, shall be exempt from duties.

V. First. All articles, the produce or manufacture of the United Kingdom, not specified in the preceding sections (with the exception hereafter stated), on importation at the ports of Calcutta, Balasore or Chittagong, shall be charged with a duty of ( $2\frac{1}{2}$ ) two and a half per cent., to be adjusted according to the provisions established by Regulation IX, 1810, or any other Regulation in force.

Second. All articles, the produce or manufacture of foreign Europe (with the exception of wines and spirits), on importation at the ports of Calcutta, Chittagong or Balasore, on British registered ships, or India-built ships, trading under the provisions of the 30th section of the Act 53 Geo. III. c. 155, and other subsequent Acts, shall be subject to a duty of five per cent.

Third. Wines and spirits of every description, imported from Great Britain or Ireland, shall continue subject to the same rate of duty with which they are chargeable under Regulation IX of 1810, and any other existing Regulations.

VI. It is to be clearly understood, that the articles specified in the preceding sections, if imported otherwise than according to the provisions of the Acts of Parliament regulating the direct and circuitous trade between the United Kingdom and India, shall continue subject to the payment of the duties now in force under the existing Regulations.

VII. If the established duties on goods specified in the preceding sections shall have been paid at any port in the territories subject to the British Government in India, no further duty shall be levied upon their transit from port to port, within the same territories. A regular certificate of such payment, under the signature of the principal officer of the custom-house at which such duties may have been levied, shall be furnished to the collector of customs, or other proper officer, at every port to which such goods may be brought after the first payment of duties.

#### EXPORTS.

VIII. First. Indigo, the produce and manufacture of the territories immediately dependant on the presidency of Fort William, shall be allowed a drawback on exportation on British registered ships, or on Indian-built ships trading with the United Kingdom of Great Britain and Ireland, directly or circuitously, under the provisions of the Act of the 53 Geo. III., and subsequent Acts, equal to the whole amount of the duty payable under the existing Regulations.

Second. Indigo, the produce and manufacture of the territories of his Highness the Vizier, or of any other native power, shall be allowed a drawback at the same rate only as that article, the produce and manufacture of the British territories, although the duty levied may have been higher.

Third. It is to be clearly understood that the drawbacks mentioned in the two preceding clauses are to be allowed only on indigo exported by sea to the United Kingdom of Great Britain and Ireland, and that no drawback will be allowed on the carriage of indigo to any foreign settlement in Asia.

IX. On cotton-wool, hemp and sunn, the produce of any part of India, a drawback of the whole amount of duty shall be allowed on exportation to the United Kingdom of Great Britain and Ireland.

X. On the exportation to the United Kingdom of all other articles, including salt-petre, which are liable to duty under existing Regulations, such a drawback shall be allowed as may reduce the duty actually receivable by government to (2½) two and a half per cent.; but no drawback shall be allowed in any instance unless the application for drawback shall be made at the time when the goods are exported.

XI. Section 5, Regulation VI, 1814, is hereby rescinded. It is however declared, that all applications for drawbacks shall be accompanied by the rowannah or rowannahs covering the goods intended to be exported, as provided in Section 20, Regulation I. 1812.

XII. In modification of the rules contained in clause 1st, Section 12, Regulation IX, 1810, and Section 3, Regulation I, 1812, it is hereby declared that the amount of inland or transit duty to be levied on cotton-wool, both in its cleaned and uncleared state, shall not exceed five per cent. upon the value; under this modification, therefore, the fixed rates of twelve annas per maund in its cleaned state, and four annas in its uncleared state per maund of ninety-six Calcutta sicca weight, will be reduced to a rate equal to five per cent. on the value, whenever the rates before specified may exceed that amount.

XIII. With the above exceptions, it is hereby declared that nothing contained in the present

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present Regulation is to be construed to affect the inland and transit duties payable under the provisions of Regulation IX, 1810, and Regulations I, and XIX, 1812, and Regulation VI, of 1814.

XIV. First. Nothing contained in this Regulation is intended to apply to the trade conducted on foreign bottoms, the duties on which, as specified in the existing Regulations, as well as the rules by which that trade is governed, are to remain on their present footing until all the arrangements consequent on the treaties of peace shall have been completed.

Second. Neither is anything contained in this Regulation intended to apply to deposits made previously to the date of this Regulation for the payment of duties on goods imported; the accounts of which have not yet been adjusted. All deposits made previous to the date of this Regulation shall be adjusted according to the existing rates of duties.

## BENGAL :—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

28th December 1814.

Court's  
Instructions to  
Bengal.

Para. 1. IN our separate despatch (department of Customs) of the 29th July last, we conveyed to you our instructions respecting the rates of duties hereafter to be charged on imports and exports.

2. Our attention has since been turned to the mode in which the real value of goods is to be ascertained, with a view to the collection of the *ad valorem* duties; but we are not yet prepared to give you any specific directions on this head; you will therefore carry our former instructions into effect in the manner which shall appear to you best calculated to prevent an evasion of the duties on the one hand, and on the other to occasion the least possible perplexity and vexation to the merchants.

3. In the exercise of the discretion with which you are thus vested, we would merely suggest for your consideration, whether the late method of collecting the *ad valorem* duties in this country might not be adopted by you with advantage. By that method the merchant was called upon to declare his own valuation of the goods entered at the Custom-house, and the collector was authorized, in cases where he was of opinion that the goods were undervalued, to take them on paying an advance of £10 per cent. on the valuation. It is possible, however, that you may find an adherence to the mode hitherto in use in India, of adding a certain per-centage to the invoice price, preferable to any other. But on this subject we desire to have a particular communication of your sentiments.

4. In any case in which you may find it more convenient to apportion the duty to weight or quantity than to value, you are at liberty to do so.

5. For the purpose of definitively fixing the rates at which foreign coins or money of account are to be estimated in Indian currency at the Custom-houses in India, in establishing a valuation of goods, and in paying the duties thereon, should it be deemed advisable to adhere to the present mode of making the invoice price the basis of that valuation, you are directed to revise the table of exchanges annexed to section 60, of Regulation IX, 1810: and should you think it expedient to make any alterations therein, you will submit them for our consideration. In the mean time, the payments are to be regulated by the table as it now stands.

6. As it appears that the system of internal duties prevalent within the territories  
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of Fort St. George, is essentially different from that which, after an elaborate investigation, has been introduced in Bengal, particularly in reference to the multiplicity of articles of consumption among the natives, which, in the former, are subjected to duties; we desire that you will, in conjunction with the government of Fort St. George, take into your consideration the propriety of applying to that presidency the principles which you have adopted; and you will, on the earliest occasion, report to us upon the subject.

7. We are extremely desirous that the internal duties should not have the effect of diminishing the consumption, or materially obstructing the free transport of any article among the natives, whether of their own consumption or manufacture, or imported by sea, except such as may be injurious to their health or morals: and we therefore desire that, in any case in which you have reason to apprehend that these effects are produced by the present rate of duty, under either presidency, you will give orders for reducing the duty to such a rate as the article will easily bear. The increased quantity subjected to taxation, owing to the removal of the burthen, will, we trust, in most cases counterbalance the reduction of the rate, so as to prevent any deficiency in the revenue.

We are your affectionate friends,

(Signed)

W. F. ELPHINSTONE,  
JOHN INGLIS,  
JOHN MORRIS,  
JOHN JACKSON,  
DAVID SCOTT,  
S. TOONE,  
C. MARJORIBANKS,

A. ALLAN,  
S. DAVIS,  
ROBERT CLERK,  
H. LINDSAY,  
J. A. BANNERMAN,  
J. HUDLESTON,  
J. PATTISON.

London, 28th December 1814.

### BENGAL:—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

27th November 1816.

Para. 1. We have received your letter in this department, dated the 26th August 1815, in reply to our despatch of the 29th July 1814, directing the modification, in various instances, of the duties, as then established, on the trade between India and the United Kingdom.

2. You explain to us in your letter the course of proceeding which you adopted in consequence of our instructions, and notify the transmission of copies of a Regulation passed by the Vice-President and Council on the 26th August 1815, for the purpose of carrying such orders into effect.

3. We have received from Fort St. George and Bombay advices upon the same subject, confirming the facts stated in the 3d and 5th paragraphs of your letter, as to the course of proceeding followed by those governments in regard to the prescribed reduction of duties and grants of drawbacks.

4. We have observed with regret and dissatisfaction, the delay which took place before the government of Fort St. George replied to your letter of the 25th March 1815; to this circumstance, probably, may be ascribed the length of time which intervened between the receipt of our despatch and the publication of your Regulation.

5. We

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5. We approve of the substance of the answers which you returned to the letters addressed to you by the merchants of Calcutta, soliciting that the Regulation should have a retrospective effect.

6. We proceed to notice the different sections of the published Regulation which you have transmitted to us, premising that it is by no means so precise and detailed as it ought to have been, and that its omissions and defects appear to us of sufficient importance to require amendment.

7. Upon the preamble we have no observation to make, except that in future references to the Act by which Indian-built ships are partially admitted to the privileges of British registry, you will notice only the Act 55 Geo. III. c. 116.

8. Section II. is conformable with our instructions.

9. Section III. We regret that our instruction on the subject of exempting metals from the payment of import duties was not conveyed to you with sufficient precision. Our intention was, that metals, wrought or unwrought, the produce or manufacture of the United Kingdom, should be exempted from duty on being imported into our ports and settlements in India, in British or Indian registered ships, trading under the provisions of the Act 53 Geo. III. c. 155, and the subsequent Acts regulating the trade between this country and India. The exemption contained in this clause must accordingly be extended to the articles enumerated in the margin.\*

10. Section IV. should have contained a list of the articles which, under the denomination of marine stores, are exempted from the payment of duty.

11. The following are the articles enumerated under this head in the Regulation passed by the Bombay Government; and as we see no reason to doubt the accuracy of the list, we desire that, for the sake of uniformity, it be adopted by you :

<p> Anchors.  Blocks of sorts.  Boxes, pump.  Bunting of sorts.  Masts and spars of all sorts.  Bells for ships.  Canvass of all sorts.  Copper rings.  Mooring chains.  Channel-work for ships.  Azimuth, hanging, and steering compasses.  Cordage of all descriptions.  Deals of sorts.  Capstern furniture.  Time and binacle glasses.  Grapple. </p>	<p> Figure-heads.  Pump hide.  Kintledge.  Lanterns.  Lines and twine.  Scupper leather.  Sail-needles of sorts.  Spars of sorts.  Tar and pitch.  Palm irons.  Hawse rollers.  Rosin.  Sheaves and pins of sorts.  Speaking trumpets of sorts.  Vitry.  Varnish. </p>
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## 12. Section

<p> * Cutlery.  Table and kitchen utensils.  Trinkets composed wholly or chiefly of metals.  Locks, bolts and hinges.  Scales and weights.  Clocks, watches and time-keepers.  Nails of iron and copper.  Hatchets, hammers, saws, and ironmongery of all sorts.  Sheet copper and sheet iron. </p>	<p> Wire of iron, brass, steel, silver and gold.  Lead in sheets, cast or rolled.  Copper pumps.  Mathematical instruments.  Fire engines.  Tin ware.  Shot for fowling.  Bellows.  Brazier, and generally all others, coming under the above description of wrought or unwrought metals. </p>
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12. Sections 5, 6, and 7, are conformably to our instructions. It ought, however, to have been explicitly declared that the rates of duties prescribed in Section 5. Clauses 1 and 2, were not to operate, in any case whatever, as an imposition or increase of duty, but as a reduction of all duties which, at the time, were fixed at a higher rate than  $2\frac{1}{4}$  per cent. on the value.

13. Section 8, Clause 1. The drawback, instead of being allowed only on "indigo, the produce and manufacture of the territories immediately dependent on the presidency of Fort William," should have been allowed, conformably with our instructions, "on indigo the produce and manufacture of *our own territories*," thereby including indigo manufactured under the other presidencies, as well as in the territories subject to your government. It is the more unaccountable that you should have committed this error in the first clause, as Clause 2 seems to have been framed on the true construction of the order, *viz.* that the duties to which indigo, the produce or manufacture of British India, was subject, were the same; and, consequently, that the amount of the drawbacks allowed by the new Regulation, on its exportation to the United Kingdom, would likewise be the same under all the three presidencies. If the duties upon indigo were various, a difficulty may arise as to the amount of the drawback to be allowed on indigo, the produce of the native states: at any rate, it would have been more satisfactory if the amount of the drawbacks on indigo of each description had been specified.

14. Clause 3 is correct.

15. Sections 9 and 10 are conformable to our instructions; in reference to the former, however, a doubt which appears to have arisen at Bombay, renders it necessary that we should distinctly apprise you that the articles therein mentioned are to be exported to the United Kingdom, free of all duty, whether internal or external.

16. With reference to Section 11, we have only to express our hope that due precaution may be taken against the occurrence of frauds, as connected with the grant of drawbacks.

17. Sections 12 and 13 are conformable to our instructions.

18. Section 14. It was not intended that the first clause of this section should be embodied in a public Regulation.

19. We desire that, on the receipt of this despatch, you will pass a new or supplementary Regulation, in which you will make such enactments as may be necessary, in consequence of the observations we have made on Section 3 of Regulation IV of 1815 (as to manufactured metals), on Section 5, Clauses 1 and 2 (as to the Regulation in no case operating as an increase of duty), and on Section 8, clause 1 (as to indigo, the produce or manufacture of other British territories).

20. We further direct that the provisions of Section 7 be extended to all goods, whether European or other.

21. A tariff of the duties payable, and the drawbacks allowed, on each article of commerce, should be affixed to the new Regulation; and when you transmit it to us, we desire that it may be accompanied with full explanations, and with tables showing the former as well as the present amount of each duty and drawback, and the Regulation under which it was levied or allowed.

22. The Regulation promulgated by the Bombay government, and that which has been forwarded to us in manuscript by the government of Fort St. George, are, with the exception of a few clauses which have been varied in accommodation to local circumstances, the same in substance, and nearly the same in terms, with the

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Regulation which you have transmitted. We shall, however, communicate directly to both governments our sentiments and instructions upon their respective proceedings.

We are your affectionate friends,

(Signed)

T. REID.

W. WIGRAM.

JOHN BEBB.

R. C. PLOWDEN.

J. BOSANQUET.

J. BANNERMAN.

JOSEPH COTTON.

EDWARD PARRY.

JOHN MORRIS.

J. THORNHILL.

JOHN INGLIS.

RICHARD PARRY.

G. A. ROBINSON.

S. DAVIS.

London, 27th November, 1816.

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**TERRITORIAL DEPARTMENT:—REVENUE.**

10th October 1817.

To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East-Indies.

Letter from  
Bengal.

**HONOURABLE SIRS :**

WE have had the honour to receive a letter from you, dated the 27th November 1816.

2. We have now the honour of transmitting to your Honourable Court a copy of the Regulation which we have passed, on consideration of the instructions conveyed to us in the above despatch.

3. We proceed to notice such part of your Honourable Court's letter as appears to call for a distinct reply, and to explain the grounds on which we have judged it proper to deviate in some respects from the strict letter of your Honourable Court's present instructions.

4. It must be unnecessary for us to express the satisfaction we always feel when our proceedings meet with your Honourable Court's approbation. In regard, therefore, to those parts of Regulation IV. of 1815, which has received your sanction and approval, we shall not detain you with any further remark.

5. We shall carefully attend to the injunction contained in the 7th paragraph of your Honourable Court's letter, in which you direct, "that in future references to the Act by which Indian-built ships are partially admitted to the privileges of British registry, you will notice only the Act 55 Geo. III. c. 116."

6. Your Honourable Court will observe that we have, as directed in the 9th paragraph of your letter, extended the exemption contained in Section 3, Regulation 1815, to all articles coming under the denomination of wrought or unwrought metals.

7. We have likewise declared the several articles specified in the 11th paragraph of your Honourable Court's letter, to be naval stores, within the meaning of Section 4 of the above-mentioned Regulation.

8. In the 12th paragraph of your Honourable Court's letter you observe, "it ought, however, to have been explicitly declared, that the rates of duties, prescribed in  
Section

Section 5, Clauses 1 and 2, were not to operate in any case whatever as an imposition or increase of duty, but as a reduction of all duties which at the time were fixed at a higher rate than two and a half per cent. on the value."

9. We should undoubtedly, had there been any danger of misconstruction, have included such a declaration in the provisions referred to, as being fully sensible that no increase of custom duty could legally be imposed by us, except in the mode prescribed by the Legislature; but, in point of fact, the lowest rate of duty to which any article imported by sea was subject, under the rules in force at this presidency, previously to the enactment of Regulation IV of 1815, being 5 per cent., we hardly deemed it necessary to declare what was abundantly notorious to all parties concerned. We trust that this explanation will justify to your Honourable Court the omission of such a declaratory enactment in the supplementary Regulation now passed by us.

10. We have, under your Honourable Court's instructions, inserted in this Regulation an explanatory clause, notifying that the rule contained in Clause 1, Section 8, Regulation IV, 1815, shall be considered applicable to all indigo, the produce and manufacture of the *British territories*. We must, however, observe that, practically speaking, no inconvenience could well be anticipated from the apparent error in the wording of the above clause, which is noticed by your Honourable Court.

11. No instances we believe are to be found of indigo, the produce of territories subordinate to any of the other presidencies, being imported into Bengal. The article, indeed, still finds a place in the schedule of imports by sea, annexed to Regulation III, 1811, but such importation has, we apprehend, long since entirely ceased.

12. The only indigo, therefore, which is likely in practice to receive the benefit of the rule, as far as our custom-houses are concerned, is that which is the produce of the provinces dependent on this presidency; and as a drawback is allowed on exportation to Great Britain and Ireland on British ships, equal to the whole of the duty payable under the Regulations, it appeared hardly necessary to specify the amount of drawback, which is, in fact, defined in the rowannah, on the production of which it is granted.

13. We have, however, taken occasion to correct a slight inaccuracy, which by a too literal adherence to the orders of your Honourable Court, had crept into the second clause of the section referred to. By that section it is declared that indigo, the produce of the Vizier's territories, shall be allowed a drawback at the same rate only as that article the produce of the British territories. In point of fact, however, the inland or transit duty, on which alone a drawback can properly be granted, is the same on indigo the produce of Oude, as on the article the produce of the British territories; but the former is liable to an additional export duty of two and a half per cent. on exportation by sea.

14. There is an obvious incongruity, however, in levying an export duty on the same article that is allowed a drawback of a greater per-centage on the same valuation, yet this has hitherto occurred in the practice of the officers of the Custom-house, who naturally look to the letter of the Regulation.

15. They have been used to grant on indigo, the produce of Oude, a drawback of 5 per cent., being the whole amount of the inland duty, and to levy an export duty of two and a half per cent., and the same principle has been followed in other cases.

16. To remedy this defect, we have declared the rule which prescribes the demand of an export duty on certain articles, the produce of the Vizier's and the Nepaul territories, not to be applicable to those articles when exported to the United Kingdom, making a corresponding reduction in the amount of drawbacks hitherto granted on such articles.

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17. Thus on those articles, the produce of Oude and the Nepaul territories, which (under the treaties existing with those states) were rendered liable to a transit duty of two and a half per cent. only, no drawback is allowed; and the drawback on indigo, the manufacture of Oude or any foreign state, is limited to half the transit duty, so that the amount retained is reduced to two and a half per cent., being the amount formerly demandable in the shape of an export duty.

18. With reference to the observations contained in the 15th paragraph of your Honourable Court's despatch, we beg permission to state that the rule contained in Section 9, Regulation IV, 1815, has been considered applicable to all duties, internal as well as external.

19. In the 18th paragraph of the despatch now replied to, your Honourable Court observe, that it was not your intention "that the first clause of this section should be embodied in a public Regulation."

20. We beg leave, however, to observe, that the amount of customs demandable on goods imported and exported on foreign bottoms, is professedly regulated in Regulation III, 1811, by the principle of subjecting the foreign trader to a duty double the amount payable by the British trader; and that, consequently, applying this principle to the state of things created by Regulation IV, 1815, foreigners might naturally have assumed that they were entitled to such a reduction in the amount of duty demandable from them as would place them in the same situation as before, considered relatively to the British trader. It appeared to us, therefore, to be proper to anticipate by a distinct enactment, so obvious a pretension. We did not at the same time conceive that any inconvenience would result from the publication of the clause in question.

21. In the 20th paragraph of your despatch your Honourable Court desire "that the provisions of Section 7 be extended to all goods, whether European or others."

22. We conceive, however, that your Honourable Court may not have been aware of the great variety in the rate of duty demandable at the several presidencies on goods imported by sea, otherwise than in the mode specified in Regulation IV, 1815, and that it was only your intention to place goods brought to this presidency circuitously, *i. e.* after having been originally imported at some other British port in India on the same footing as if they had been brought here directly.

23. We have accordingly inserted in the Regulation now submitted to you, a clause providing that the owners of goods so imported into Bengal, shall receive credit here for the amount of the duties which may have been paid and retained at the place of original importation.

24. This rule will, we trust, fulfil your Honourable Court's intentions; whereas a strict adherence to the letter of your instructions would obviously (under the present inequality of duties demandable at the several presidencies) give, in many instances, a very unreasonable advantage to the circuitous trader, which it never could have been in the contemplation of your Honourable Court to afford.

25. We have likewise, your Honourable Court will observe, taken this opportunity of rescinding Section 57, Regulation IX of 1810.

26. This rule provides that "copper and other goods purchased from the warehouses of the Honourable Company at any of the other presidencies shall, on importation at this presidency, pass duty free."

27. The exemption afforded by the above rule will, in almost all cases, come within the more general provision of Section 7, Regulation IV, 1815; and as far as it is calculated to afford any advantage to the commercial branch of the Honourable Company's

Company's concerns, it must be considered void, as being contrary to the Act of 53d of the King.

28. The section in question appearing thus to be either invalid or superfluous, and at the same time liable to mislead the merchant, we deemed it right to take the earliest opportunity of distinctly rescinding it.

29. In compliance with your Honourable Court's instructions, as conveyed in the 21st paragraph of your present letter, we have annexed to the Regulation now submitted to you, schedules exhibiting the rates of duties payable, and drawbacks allowed on the several articles of commerce, on the importation from, or exportation to the United Kingdom.

30. We likewise transmit enclosed synoptical tables, exhibiting in one view the present and former amount of each duty and drawback levied and allowed on all goods imported and exported at this presidency.

31. With reference to your Honourable Court's desire to be informed of the Regulation under which the amount of each is adjusted, we beg leave to remark that by Regulation IX, 1810, all former rules respecting customs were rescinded or consolidated; and that until the enactment of Regulation IV, 1815, no permanent alteration in the rates of duty demandable on the trade of British ships had taken place since the above-mentioned Regulation was passed, with the exception of an export duty on bullion, which was prescribed by Regulation XII, 1813; a necessary distinction made by Regulation I, of the preceding year, between cotton in its clean and unclean state; and the rules for levying a duty on the importation of horses, which have since been rescinded.

32. The other rules passed in the years 1811 to 1814, in as far as concerned the British trader, referred merely to the valuation of goods and other matters connected with the forms of official procedure.

33. Regulation IV, 1815, first drew a distinction between the general British trade at this presidency and that conducted under the Acts for regulating the direct and circuitous trade between India and Great Britain, but left the rates of custom duty and the amount of drawback applicable to the former to be still regulated (with the trifling exceptions above alluded to) by Regulation IX, 1810.

34. The rules applicable to the trade of foreign merchants are, your Honourable Court are aware, to be found in Regulation III, 1811.

35. The tables now submitted, in which all the cases above specified are distinguished, will, we trust, be found sufficiently explanatory of the general scope of the several rules alluded to. The practical effect of the alteration introduced by the orders of your Honourable Court, as affecting this branch of our revenue, we shall hereafter have an opportunity of laying fully before you.

36. You will not fail to remark how important an alteration has been introduced by Regulation IV, 1815, both as it abolishes and reduces various duties to which British traders were before liable, and still more as it extends the allowance of drawbacks.

37. This Regulation, therefore, would alone have constituted, in our judgment, a sufficient reason for instituting a very full and particular examination of the commerce of India, and the law of customs to which it is subjected, both with the view of giving consistency to the whole system, and of ascertaining in a very distinct manner the effect and influence of the important change introduced by the Regulation in question.

38. We see reason to believe, likewise, that several parts of the existing code of this presidency, particularly that portion which regards the valuation of goods by means of books of rates, and the rules for granting drawbacks, are susceptible of being

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being very greatly improved and simplified. Still more, we believe, it is necessary to modify the rules in force at the other presidencies, in order to frame a consistent system, applicable to India generally.

39. At the present period, too, when the commercial transactions of this country appear likely very greatly to increase, it becomes peculiarly desirable that every part of the system, whether connected with the rates of duty and the valuation of goods, or the detailed rules of practice, according to which the business of the several custom-houses is conducted, should be placed on the best possible footing.

40. Under this impression we have judged it advisable to constitute a committee, for the purpose of revising the general Regulations established for the collection of customs in the provinces immediately dependant on the presidency of Fort William; and, as far as circumstances will permit, the system established for the management of this branch of the public revenue throughout India.

41. We enclose, for the information of your Honourable Court, a copy of the instructions issued to the committee; and we hope that we shall be able to submit, by one of the fleets of the present season, the result of their labours.

42. As we shall then have a much better opportunity of entering fully into the subject, we deem it unnecessary at present to detain your Honourable Court with any further detailed observations.

43. It is proper, however, to notice that the present Regulation has been prepared in communication with the committee; and indeed, if the orders of your Honourable Court had left us any discretion on the subject, we confess we should have been anxious not only to have availed ourselves of their official experience in regulating its details, but likewise to have had the benefit of their opinion on the general expediency of the measure, before we determined to abandon (especially at the present juncture) so considerable a revenue as, under the operation of these rules, must be relinquished.

44. We have already received a Regulation, passed by the government of Bombay, under the orders conveyed in your Honourable Court's despatch to that presidency.

45. The provisions contained in that Regulation do not, we imagine, differ in their general tenor from those which we have enacted, more than the different circumstances of the two presidencies render necessary; and, from the low scale of the duties levied at Bombay, no such practical inconvenience will result from a literal observance of the instructions of your Honourable Court, for the extension of the rule contained in Section 7 of the Regulation of 1815, as would necessarily have resulted from the adoption of a similar measure at this presidency, as explained in a former part of this despatch.

46. We could have wished, however, that the government of Bombay had awaited the receipt of a communication from us, in order that the greatest possible uniformity might have been preserved.

47. In the schedule of duties, also, which has been annexed to the Bombay Regulation, the distinction between articles British and foreign articles, although specified in certain cases, appears to us to be scarcely sufficiently detailed.

48. We observe, too, that the following articles are declared free on importation, viz. *gold and silver lace and ship chandlery*.

49. The former is, we presume, exempted on the principle which exempts all metals, *wrought and unwrought*; but if so, we cannot help thinking that the rule has been in some degree extended beyond the fair meaning of the words, or the intent of your Honourable Court; the question, however, is not likely to be of much practical importance.

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50. An exemption of all goods coming under the denomination of *ship chandlery*, is likely to have a more extensive operation, and would, we believe, embrace a considerable number of articles which could not with any propriety come under the denomination of marine stores, as belonging to which, we presume, ship chandlery has been exempted.

51. This last item, therefore, we have wholly excluded from the list of goods specified in the schedule annexed to the Regulation for this presidency; and we have entered gold and silver lace as subject to the general duty demandable on imports from the United Kingdom.

52. The only other important difference between the two Regulations relates to opium, which under the rules of Regulation XVI of the present year, has of course become subject, on importation at this presidency, to the protecting duty of sicca rupees 24 per seer.

53. A corresponding Regulation respecting opium, will of course be passed by the government of Bombay, on receiving the approval and sanction of your Honourable Court, and the honourable the Board of Control.

54. We design to transmit, both to Fort St. George and Bombay, copies of the present despatch and of its inclosures, for the information of those governments respectively.

55. Although it shall be found at present impracticable to assimilate the rules in force at the several presidencies, yet the information thus afforded may be useful to the committees which (at the recommendation of this government) have been appointed at the two other presidencies, with objects similar to those to which we have directed the labours of the committee which has been constituted here, and from whose labours we anticipate the formation of a solid and consistent system of custom-law throughout India.

We have the honour to be, honourable Sirs,

Your most faithful humble servants,

Fort William,  
10 October, 1817.

(Signed) N. B. EDMONSTONE,  
G. DOWDESWELL.

### II.

#### TRADE.

Reduction of  
Customs and  
Inland Duties.

Letter from  
Bengal.

### BENGAL:—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

13th February 1817.

Para. 1. From the documents accompanying your letter of the 26th August 1815, and others which have been transmitted to us by the government of Fort St. George, we observe that in consequence of the orders which we have given since the passing of the New Charter Act, for reducing the custom duties in India, it is estimated that there will be a defalcation in the produce of the customs under the three presidencies to the amount of about eleven lacs of rupees annually, supposing no increase of trade to take place.

2. As it is expedient that we should be well informed as to the actual effect of the new arrangements, as well upon the commerce of British India as upon the revenue, we desire you to furnish us periodically with accurate statements of the amount of the custom duties at your presidency, distinguishing the produce of the several principal articles, the rate and nature of the duty, and the Regulation under which it is levied, and

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and also distinguishing the imports and exports of the Company, or of their officers, from those of other traders.

3. These accounts are to be made up to the same period as the reports upon external commerce, which are also to be so framed as to distinguish the Company's from the private trade; these reports being in future to be prepared in the Custom-house department, it will be easy to combine in one general statement annually from that department all the accounts which we hereby require, and you will accompany such statement with such observations as may occur to you.

4. We therefore direct that you will transmit to us such other information as may in your opinion enable us to judge of the effects which may be produced by the prescribed reduction and remission of duties upon the trade between India and the United Kingdom, distinguishing between the imports of raw and manufactured articles.

We are your affectionate friends,

(Signed)

T. REID.

J. BEBB.

J. BOSANQUET.

E. PARRY.

J. INGLIS.

J. B. TAYLOR.

W. S. CLARKE.

J. LUMSDEN.

J. BANNERMAN.

S. DAVIS.

R. PARRY.

W. F. ELPHINSTONE.

J. THORNHILL.

H. LINDSAY.

London, 13 February 1817.

### BENGAL :—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

18th June 1817.

Para. 1. Our last letter from this department was dated the 19th April 1817.

2. We lately received a letter from the Governor in Council, at Fort St. George, dated the 10th May 1816, enclosing a Report from the Board of Trade at that presidency, copies of which we now transmit to you as numbers in the packet.

3. You will perceive from these communications, that the Government of Madras fully partake in the apprehensions entertained by their Board of Trade that the existing high rates of duty on goods exported in foreign bottoms from the ports subject to that presidency, amounting generally to sixteen, and in some instances to twenty per cent., will have the effect of driving the foreign trade from our ports, and of causing ships navigated under foreign flags to resort to foreign settlements in India, where they will be supplied with goods the produce of the Company's territories, "which, under the present Regulations, may be conveyed thither on paying a duty of from eight to ten per cent."

4. We are disposed to think that those apprehensions may be well founded, with reference to the double duties levied upon foreign trade under our orders of the 3d August 1808, in as far as they respect the trade carried on between foreign Europe and America and our ports on the coast of Coromandel, and also that the same effect may be felt, though perhaps in an inferior degree, under the other presidencies.

5. The great change which has taken place, since those orders were issued, in the political relations of this country, and the late restoration to foreign European powers of those settlements in India which the events of the war had placed in our possession, may render expedient a corresponding alteration in our revenue regulations.

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6. It appears to us that the most effectual mode of averting the evil contemplated by the government of Madras, and the injury which would thence ensue to the interests of the Company, would be to reduce the rates of duty now payable on foreign trade, so as to remove the temptation to the ships of other nations to resort to foreign settlements in India in preference to our own. We desire, however, that you will take the subject, in all its bearings, into immediate consideration, and that you will, after communicating thereupon with the governments of Fort St. George and Bombay, adopt such measures as the case may seem to demand.

7. Should you be of opinion that it is advisable to reduce the present rates of duty levied on foreign trade, you will bear in mind that, whilst it is expedient that the duties shall not be so high as to occasion a change in the course of that trade, it is desirable, with a view to the interests of our revenue as well as to guard against a competition unfavourable to British commerce and shipping, that they shall not be reduced to a lower scale than is absolutely necessary to prevent the foreign trade which has been hitherto carried on with our settlements in India from being diverted into other channels.

8. We shall of course expect to be furnished with the result of your deliberations on this important matter; but we confide the general arrangement entirely to your discretion, and authorize you to carry into effect any reduction of duty on the foreign trade which may be finally determined upon, in concert with the governments at the other presidencies, without a previous reference to us.

9. The foregoing observations and instructions are applicable exclusively to the foreign export trade from our settlements in India. The same considerations do not appear to apply to the foreign import trade; on the contrary, it is desirable that the duties levied on goods, the produce of other countries, and particularly on wines imported on foreign bottoms into our settlements in India, should be continued on a high scale, otherwise it is to be apprehended that this branch of trade will pass entirely into the hands of foreigners, under the superior advantages which they possess in carrying it on.

We are your affectionate friends,

(Signed)

J. BEBB.	S. TOONE.
J. PATTISON.	A. ALLAN.
J. COTTON.	J. B. TAYLOR.
W. ASTELL.	S. DAVIS.
J. MORRIS.	W. F. ELPHINSTONE.
H. LINDSAY.	W. WIGRAM.
T. REID.	

London, 18 June 1817.

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## BENGAL:—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

7th January 1818.

Para. 1. Our last letter to you in this department was dated the 18th June last.

2. On the 18th June last we called your attention to a letter addressed to us by the Governor in Council at Fort St. George, under date the 10th May 1816, on the subject of the duties levied upon the trade of foreigners with the Company's possessions in India.

3. On the 26th July we received your letter in this department, dated the 17th  
R January



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January 1817, communicating your sentiments upon the letter which was addressed to us by the Governor in Council at Fort St. George, of the date above mentioned, a copy of which was transmitted to you by that government.

4. We have more recently received a letter, dated the 10th April last, from the government of Madras, to whom you had communicated a copy of your letter to us of the 17th January preceding; and we now transmit (a number in the packet) copy of a despatch which we have addressed to the Governor in Council at Fort St. George, in reply to their two communications on the subject of the duties levied on the foreign trade.

5. You will perceive, from the enclosed despatch, that we concur with you in opinion as to the inexpediency of reducing, at present, the rate of duties now levied on the trade of foreigners with the territories subject to your presidency, and that we have referred it to you to consider, in concert with the government of Madras, how far it may be advisable, or otherwise, to lower the scale of duties now payable by the foreign trade, under the presidency of Fort St. George. You will observe also that we have approved the draft of a Regulation which was prepared and transmitted to us by the Madras government, subjecting the trade carried on between the territories under that government and the foreign territories adjacent to them, whether in British or Asiatic vessels, to the same rate of duty as it is now subject to in foreign vessels.

6. We expect to be furnished, at no distant period, with the communication promised in the 26th paragraph of your letter of the 17th January last, "on the subject generally of the laws under which the customs are collected, as well as upon the effects" produced on trade and revenue by "the late provisions for the encouragement of British commerce."

We are your affectionate friends,

(Signed)

J. BEBB.	J. MORRIS.
J. PATTISON.	C. MARJORIBANKS.
J. COTTON.	J. INGLIS.
J. BOSANQUET.	G. SMITH.
S. TOONE.	T. REID.
C. GRANT.	J. JACKSON.
E. PARRY.	J. LUMSDEN.

London, 7th January, 1818.

### BENGAL :—SEPARATE DEPARTMENT OF CUSTOMS.

Our Governor-General in Council, at Fort William in Bengal.

11th June, 1823.

Para. 1. Our last letter to you in this department was dated the 6th November last.

2. In your letter of the 20th February 1819, paragraphs 79 and 80, you called our attention to a very considerable decrease which had been experienced in the year 1817-18, "in the duties derived from piece-goods," amounting, as compared with the preceding year, to rupees 4,81,816."

3. We have anxiously expected the result of the reference which you made to the Committee of Revision, as to the expediency of reducing the duties on this article; but

but in default of this information, we have ourselves taken the subject into consideration. From accounts subsequent to 1819, it appears that these duties, as compared with the year 1816-17, continued to decline; and although that year appears to have been a year of extraordinary produce, yet the progressive declension in each subsequent year indicates a very unfavourable situation of the manufacture and export.

4. The reports of external commerce do not give us so complete a view of this situation as we could desire; but there is too much reason to apprehend that the export of piece-goods from India has fallen to comparative insignificance, in consequence of the improved state of machinery in Europe, and the protection which different nations in Europe and the United States of North America are giving to their own manufactures, by heavy duties on foreign goods, or by absolute prohibitions. It is also clear that the imports of British piece-goods into India have increased; and though it has been doubted whether these articles come generally into use among the natives, the circumstance in any point of view furnishes a reason for removing all unnecessary charges from the native manufactures, especially when it is considered that the piece-goods of Great Britain are introduced into India at a rate of duty considerably lower than that to which the native manufactures are liable on transit within India.

5. One natural consequence of the reduction of the trade in piece-goods must be, that many industrious people, in different parts of India, are thence thrown out of employment, and reduced to distress; and every thing which injuriously affects the productive industry of the people, must affect in the same manner the resources of the government.

6. We would not attempt, by arbitrary encouragements, to force a branch of industry which, from a change in the circumstances of the country, may in its nature have ceased to be profitable, but are anxious that no impediment should be interposed by our fiscal regulations in the way of any portion of that prosperity which such branch of industry would otherwise enjoy. We should indeed, be very willing to sacrifice revenue where it would appear materially to check the trade of India, and still more when it could be shown to repress the manufactures in which so great a part of the Indian population is engaged; but in the present case it is not at all certain that the addition made to the revenue by the duties collected immediately from piece-goods, is not more than counterbalanced by the general deterioration of resources to which those duties are conducive.

7. Upon all these considerations we direct that, on receipt of this communication, you do immediately take into your particular consideration the propriety of abolishing all internal duties, under whatever name collected, on piece-goods and on raw cotton, the produce either of our own territories or those of our allies.

8. The principles on which our views are founded appear to us so clear and just, that we can hardly anticipate any possible objections on your part. Unless, therefore, you can show that we are essentially mistaken in the facts from which these views are drawn, we desire that you will immediately proceed to the abolition, and that you will communicate your decision to the other presidencies, and require them to adopt the same line of conduct.

9. Whatever may be your decision, you will furnish us with early and full information upon all matters, whether of fact or opinion, which may have led you to it. We desire to be informed of the total amount of the transit duties collected on piece-goods and cotton respectively, and of the drawback allowed. We do not understand whether the amount of duty, which is stated to have been in 1820-21, on piece-goods, rupees 11,78,193, and on cotton, rupees 7,35,598, is the gross amount previously to the payment of drawback, or the net amount after deducting the drawback. We

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also desire to be more particularly informed of the nature of the transactions which come under the head of "Imports by Land." We cannot at present satisfy ourselves whether they consist of the manufactures of our territories imported into Calcutta, or of the manufactures of native states.

10. With respect to raw cotton, you are directed to permit its being exported, free of duty, to the United Kingdom, and also to China, but to all other places you are to impose an export duty, subject to our confirmation, conformably to the 53 Geo. III., c. 155, s. 25, of two and a half per cent. upon the value.

We are your affectionate friends,

(Signed)

W. WIGRAM.

S. TOONE.

W. ASTELL.

W. F. ELPHINSTONE.

C. GRANT.

J. DANIEL.

GEORGE SMITH.

T. REID.

C. E. PRESCOTT.

C. MARJORIBANKS.

JOHN LOCH.

G. RAIKES.

J. BAILLIF.

W. S. CLARKE.

C. MILLS, JUN.

London, 11th June 1823.

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TERRITORIAL DEPARTMENT :—CUSTOMS.

To the Court of Directors for Affairs of the Honourable the United Company  
of Merchants of England trading to the East-Indies.

HONOURABLE SIRS,

29th May 1823.

Letter from  
Bengal.

WE have the honour to transmit, for the immediate information of your Honourable Court, the accompanying copy of a minute recorded by the Governor-General, and to report that, as proposed in that paper, we have, with reference to the present financial circumstances of the government, resolved on the adoption of the two following measures: first, the reduction of the transit duties now levied on piece-goods manufactured within our territories, from seven to two and a half per cent.; at which last rate you are aware goods of this description are already allowed to be imported from the United Kingdom and from Oude: secondly, the appropriation of the town duties, levied at the several principal cities and towns under Regulation X, of 1810, to purposes of local improvement.

2. Both these measures being, we conceive, calculated essentially to promote the prosperity of the country, and greatly to advance the credit of your government, we confidently hope that the arrangement will meet the approval and sanction of your Honourable Court. The prospect of financial prosperity that has enabled us to make the sacrifice of revenue which the measures in question involve, cannot but be highly gratifying to you, and we trust you will at once recognize the soundness of the principles on which they are founded, and admit the force of the considerations which have induced us to carry our views into immediate execution, without first submitting the matter to your judgment.

3. The reduction in the duty charged on piece-goods manufactured by our own subjects, to the rate levied on foreign states, was indeed required on the most obvious principles of justice and policy, which even the pressure of financial want could scarcely have justified us in disregarding.

4. Scarcely less necessary is it to the credit of government that, with the assurance  
of

of a large surplus revenue, no time should be lost in appropriating a portion of the superfluity to works so much needed as those indicated by the Governor-General. The apparent neglect or niggardness of government has often been made matter of blame; and the justice of the plea that the deficiency of the public resources had alone narrowed the application to such beneficial and dignified purposes, could be evinced only by the early adoption, under existing circumstances, of arrangements similar to those for which we have now to solicit your sanction.

5. For full information as to the grounds on which the measures we now report have been adopted, we beg leave to refer you to the minute of the Governor-General.

6. We propose immediately to publish a Regulation to give effect to our determination in regard to the duty on piece-goods. The detail of the arrangements to be adopted by us for securing the due application of the fund appropriated to the improvement of the cities and towns will be reported to you from the judicial department.

7. The important object of public education has not, you will perceive, escaped our attention. But the difficulty of the task, involving not merely, as in other countries, the extension of knowledge already possessed by numerous classes, but the introduction of much that is altogether new to the people, and the gradual correction of much that is erroneous and absurd, yet highly prized, and the danger of mischief from any hasty and inconsiderate attempt, have hitherto prevented us from submitting to you any general and comprehensive scheme.

8. We need scarcely, we trust, assure you of our anxious desire that every practicable means should be adopted of raising the condition and improving the moral character of your subjects. You may equally rely on our care to avoid every thing that would shock their sentiments or alienate their affections.

9. We request your particular attention to the subject discussed in the 63d paragraph of the Governor-General's minute, wherein the expediency is suggested of altogether relinquishing the inland transit duty on piece-goods.

10. Your honourable Court will perceive allusion in the minute to arrangements adopted by us for the reform of the custom law which heretofore prevailed in the Delhi territory. Our report on that subject we designed to incorporate with the general narrative of our proceedings; but as the press of other business has prevented the completion of that narrative to a late date, we deem it right, for your immediate information, to transmit (Nos. in the packet) copies of our correspondence with the board of revenue for the western provinces.\*

11. These papers will fully explain the views by which we have been guided in giving to the Delhi territory the benefit of a system, which, whatever may be its defects, has operated essentially to promote the commercial prosperity of our older possessions.

We have the honour to be, &c.

(Signed)

Fort William, 29th May 1823.

(True copy)

(Signed)

HOLT MACKENZIE;  
Secretary to Government.

JOHN ADAM,  
EDWARD PAGET,  
JOHN FENDALL,  
J. H. HARRINGTON.

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\* Consultations, 25 July 1822, No. 5 and 6; and 30 January, No. 7 to 11.

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### No. 1.—MINUTE by the Governor-General.

#### Reduction of Customs and Inland Duties.

Governor General's  
Minute.

WHEN considering the measures to be pursued, in the present favourable state of the revenues of India, it appeared that the first step should be the reduction of the charges incurred on account of the public debt. We accordingly determined to appropriate the surplus of our cash balance to the discharge of a portion of the non-remittable loan, and at the same time to adopt arrangements for lowering the interest on the remainder. The measures adopted by us for this purpose have now been fully carried into effect.

2. There will thus accrue a reduction on the charges of this government to the extent of about 33 lacs of rupees, of which about 25 lacs will be immediately realized.

3. The surplus of 1822-23 being estimated to exceed considerably the sum of two crore of rupees, the prospects of the ensuing year, 1823-24, which will have the benefit of the above saving, are in the highest degree satisfactory, and we may venture to assume as certain the realization of an Indian surplus considerably beyond the sum required to meet the home charges.

4. Having effected so considerable a reduction of our debt, one naturally turns to a consideration of the other modes in which a surplus revenue may be disposed of.

5. From making any direct supply to the home treasury, by the remittance of bullion, even if it were thought expedient, the orders of the honourable Court would restrain us; nor, under present circumstances, could it be proposed to purchase bills on England from private merchants. It only remains for us, therefore, in as far as relates to the Company's treasury in England, to prevent any drain upon it from China, by supplying the Canton treasury, and to continue to furnish the required investment from India. For this we are fully prepared.

6. Under these circumstances, we are naturally led to consider how far it may be expedient to reduce or abolish any of the existing taxes, or whether the surplus revenue may be more advantageously employed in increasing or improving our civil or military establishments, in supporting public institutions, or in executing works of extensive public utility.

7. In the first place, however, let us endeavour to estimate the extent of the funds likely to be at our disposal.

8. In the year 1821-22 we had a Bengal surplus of revenue 2,46,00,000; at Madras the surplus was rupees 18,000; at Bombay there was a deficit of about 70,00,000. The Indian surplus was therefore rupees 1,76,00,000.

9. For the year 1822-23 the estimated Bengal surplus is rupees 2,68,00,000; at Madras, the surplus is estimated at rupees 16,00,000; at Bombay they anticipate a deficit of rupees 71,00,000.

10. The estimated Indian surplus amounts therefore, according to these calculations, to rupees 2,13,00,000. The actual result will probably be somewhat more favourable. But, assuming the accuracy of the estimate, we have an aggregate surplus in the two years, 1821-22 and 1822-23, of rupees 3,90,00,000, giving an average for the two years of 1,95,00,000.

11. Now, with the exception of the receipts from salt and opium, it appears to me that a certain increase may be expected in all branches of revenue, as the natural result of the increasing prosperity of the country, and the extension of trade, which, I  
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may observe, the reduction of the rate of interest, and the execution of useful public works, must greatly promote.

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					Rupees.
12. The net revenue derived from the salt monopoly amounted in	1821-22, to	...	...	...	1,25,11,000
It is estimated for 1822-23 at	...	...	...	...	1,37,20,000
					<hr/> 2,62,00,000
Giving an average of	...	...	...	...	<hr/> 1,31,00,000

13. As it is not, however, desirable that prices should be kept up at rates so high as have prevailed in the past year, I do not think we should look for a greater receipt from this source than rupees 1,25,00,000, at least until it shall be shown that a revenue in excess of this sum can be secured, notwithstanding a considerable reduction in the price of the article, through an enlarged consumption.

14. Under this head, therefore, we may allow a deduction of seven lacs of rupees.					
The opium yielded in 1821-22	...	...	...	...	Rupees 88,60,000
In 1822-23 (by estimate)	...	...	...	...	1,11,20,000
					<hr/> 2) 1,99,80,000
Average	...	...	...	...	<hr/> 99,90,000

15. Under this head it would not be safe to calculate on a net receipt exceeding 70 lacs, being 30 lacs in reduction \* of the average of the past.

16. In the other items of revenue, especially in the resources of our new territories, I might probably, without risk of error, calculate on such an increase as would go far to counterbalance the deficit above contemplated; but desiring to keep decidedly within the mark, I shall content myself with assuming the additional income likely to accrue from these sources as sufficient to meet the additional charges, which we cannot now contemplate.

17. On the same principle of caution, I shall assume that the relinquishment of the Delhi customs will occasion a loss of five lacs of rupees, though my persuasion is strong that the effects of the measure will be very different, and though the growth of this branch of our revenue is, I apprehend, quite certain.

18. Deducting then forty-two lacs † from the average surplus of the past and present years, and there remains a surplus of rupees 1,53,00,000.

19. The

\* This, as well as the reduction in the salt revenue above anticipated, is not, however, likely to occur within the year 1823-24; for the salt sold at the two first sales has fetched more than 400 rupees per 100 maunds; and fifty lacs of maunds are to be sold, and the proceeds of the Malwa opium to be sold at Calcutta, which has been already paid for, will be realized within the period. The excess of receipts on these accounts we may, however, consider as part of the funds whence the four crore of debt is to be liquidated; and the interest on the treasury notes which will be issued for a part of the amount, is to be discharged.

† Salt	..	..	..	..	7,00,000
Opium	..	..	..	..	30,00,000
Delhi	..	..	..	..	5,00,000
					<hr/> 42,00,000

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19. The average charge on account of the interest of our Bengal debt is sicca rupees 1,52,25,000.

20. The amount of the interest chargeable on the non-remittable debt, has been artificially swelled by the terms of the loan of May 1821, which rendering the interest payable in March and September, instead of July and December, threw into the accounts of the two past official years a charge for the interest of twenty-seven months\*.

21. The annual interest on the debt, as it stood before our late operation, was about 1,38,00,000, or (deducting the bank dividend, and interest on debts due to government, according to the estimate of the present year) rupees 1,35,00,000.

22. Deducting from this the thirty-three lacs which will be saved by the late loan, the charge for interest will be reduced to about 1,02,00,000. If we suppose two crore of the bills drawn upon the Honourable Court to be cancelled, and the amount to be re-invested in our six per cent. securities, the annual interest will stand at about 1,14,00,000.

23. Hence a probable saving of rupees 38,00,000.

24. Even should all the bills drawn upon the Honourable Court be cancelled†, we should have a diminution of interest below the average of the two past years, to an extent exceeding thirty-four lacs of rupees.

25. On a principle of caution, I shall adopt this last-mentioned sum.

26. There appears to be no reason to doubt that the Madras government will maintain in future the surplus of sixteen lacs, of which their estimate affords us the prospect in the past year. This will give an improvement of eight lacs beyond the average of the two years.‡

27. A further improvement will result from the advance to be made to the Nizam; but as the arrangement is yet unsettled, I shall notice the item in the present review only as affording additional assurance against any failure in my other calculations of anticipated receipt.

28. At Bombay, where the average deficit amounts to seventy lacs of rupees, chiefly occasioned by the purchase of opium to be sold in the ensuing year, a considerable improvement may be confidently looked for. The net charge for Malwa opium is stated at about rupees 33½ lacs. Even, therefore, though we should give up the expectation of any considerable gain from this source, beyond what may be considered to be included in the anticipated seventy lacs of net revenue at this presidency, and should still regard as probable the insufficiency of the Bombay resources, yet the future deficit cannot, I should imagine, exceed thirty-five lacs of rupees.§

29. Hence

\* The operation of the present loan, by which the payment of the interest due on the 31st March has been postponed to May, will considerably alter the accounts of the two years; but such a postponement of payments does not of course affect the ultimate result.

† 2,65,00,000.

‡ The sketch estimate for the present year, received since this minute was prepared, presents the prospect of a surplus to the extent of 23,58,782 rupees.

§ In the sketch estimate just received a deficit of little more than twenty-one lacs is anticipated.

29. Hence the following sums are to be added to the surplus of Rupees 1,53,00,000, above indicated; viz.

Reduction of interest in Bengal .....	Rupees 34,00,000
Surplus more at Madras .....	8,00,000
Deficit less at Bombay .....	35,00,000

Total Rupees ..... 77,00,000

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30. Thus we appear to have a fair prospect of a future Indian surplus to the extent of 2,30,00,000.

31. The home charges, including the item of interest and sinking fund on the debt of 2½ millions, borrowed in 1812, which has been cancelled by the late arrangement with His Majesty's Government, have averaged, from 1814-15 downwards, about Rupees 1,50,00,000 per annum, according to the statements furnished by the Court of Directors.

32. Although some items of charge may increase, yet others ought naturally to be less in a season of peace, and there seems therefore no reason to think that the demand on us from home will exceed the above amount.

33. There appears therefore to be a net surplus of eighty lacs of rupees, to be disposed of as may be judged most for the general interests.

34. The further reduction of debt would undoubtedly be the course most agreeable to the letter of the law; but it is to be observed, that the provision of the 55th section of the Act 55 Geo. III. c. 155, relative to the application of the territorial revenue to the liquidation of debt, is not absolute; the words "other purposes" appearing to leave a discretion with the Court of Directors and the Board of Control, which is not given in the 57th section, which treats of the application of commercial profits.

35. There is no doubt that the existence of the debt is a source of great convenience to the community, and of some security to government; and as it no longer presses heavily upon our resources, I am disposed to think that the discharge of debt should not be pushed further, at least until we have provided for some other important objects.

36. The matter is of course one on which we must solicit the instructions of the authorities at home. Those instructions have hitherto been directed chiefly to the reduction of charge and of debt. In any proceedings, therefore, which have for their end the reduction or abolition of taxes, or the increase of establishments, it is necessary to act on the principle, that should our arrangements fail to meet the approval of the authorities in England, we may readily retrace our steps.

37. This consideration would restrain me from proposing any extensive relinquishment of existing taxes, even were they more objectionable than, generally speaking, I consider them to be.

38. In reforming the Delhi customs, we acted on a principle, the expediency of which has been already fully recognized in other questions; we gave to Delhi only what belonged to all our other provinces. We put down a system which appeared to be productive of serious evils, which cramped the trade and checked the improvement of the country. I should have thought the measure proper to be adopted under any circumstances, but quite imperative upon us when relieved from all financial pressure.

39. In respect, therefore, to that arrangement, there cannot, I conceive, be any doubt as to the sentiments of the Honourable Court. There is still one part of the custom



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law which appears to me to be of such a character as to require an immediate alteration, now that the general condition of the finances gives freer scope for the adoption (at a present sacrifice) of what is desirable and proper; I mean that which relates to the trade in piece-goods.

40. It is known to government that the article, if manufactured in our provinces, whether consisting of cotton or of silk, or both, is liable, under the provisions of Regulation IX, 1810, to an *ad valorem* transit duty of  $7\frac{1}{2}$  per cent.

41. Under the treaty concluded with the Vizier in 1780, it was provided that piece-goods, the manufacture of Oude, should be subject only to a transit duty of  $2\frac{1}{2}$  per cent. on importation into our provinces; and though the circumstances of the two governments have much altered, and the intention of entering into a new commercial treaty is expressly stated in that concluded by Lord Wellesley, the old rate still continues, and is held to be binding on our government until, what seems little likely, relaxed by the government of Oude.

42. A like advantage is held out to Nepaul; but this is practically nugatory. That shewn to Oude is very important, not only in so far as it favours the foreign manufacturers, but as it affords a ready means of evasion to many of our own subjects.

43. Still more important, however, is the provision of Regulation IV, 1815, which admits British piece-goods on payment of a duty of  $2\frac{1}{2}$  per cent. The annexed Statements (A. & B.) will shew the extent of the trade of Calcutta in this article for a series of years. It is not so particular as I could have wished; for the separation of cotton, silk and mixed piece-goods has not been uniformly effected. It will, however, sufficiently serve the present object.

44. The extent of the importations from England\* will naturally excite peculiar interest. The trade has on the whole been profitable, and will certainly extend. In this triumph of the manufacturing skill of our country, it is impossible not to rejoice, for it speaks the intelligence, the power and the wealth which have raised, strengthened and enriched her. The effects on this country are of a different complexion; for though the change has fortunately occurred at a time when the demand for labour, the effect and symptom of progressive improvement, is great, and when the situation of the labourer is consequently ameliorated; and though the union of the characters of the agriculturist and manufacturer has lightened the sufferings of the latter; yet it must not be disguised that the consequences of the decline of this main branch of trade has been in many cases greatly to be lamented.

45. The decline indeed has, I believe, been confined to the finer sorts of piece-goods, the manufacture of the beautiful fabrics of the Eastern districts having nearly ceased. The general activity of commerce consequent on the opening of the trade and the return of peace, appears to have hitherto operated to prevent any failure in the demand for the coarser assortments; nay, the aggregate import of piece-goods from the interior of the country into Calcutta would appear to have considerably increased since the renewal of the Charter, and does not exhibit any decided symptom of progressive decrease, notwithstanding the extension of the imports by sea.

46. But it will be seen that while the land import into Calcutta of piece-goods, the produce of foreign territories (chiefly Oude), has more than doubled, and appears steadily to advance, the Statement exhibits a much less favourable result in regard to the produce of our territories.

47. How far the tax has operated to check the manufacture I cannot attempt to define. The valuation, according to which it is levied, is generally moderate. It must, however,

\* In the year just expired the importations have, I understand, amounted to more than sixty-four lacs of rupees.

however, have had a considerable effect, and the imputation of injustice, to which the system exposes the government, is a very important consideration. Assuredly the trade of England requires not to be so propped, and it cannot be necessary to say anything against a scheme of things which subjects the industry of our own subjects to a duty thrice the amount charged on the manufacturers of foreign states.

48. This consideration alone will probably be thought sufficient to induce the general reduction of the transit duty to  $2\frac{1}{2}$  per cent., although the immediate sacrifice must be considerable. It is reasonable, however, to conclude that the real will not nearly equal the nominal sacrifice; for it seems certain that the tax on the finer kinds of goods, which is sufficient to cover the charge of carriage for many hundred miles, must lead to an extensive evasion of the duty.

49. That such evasion does prevail to a great extent in regard to the silk piece-goods carried from Bengal to the westward, strong assurances have been given from different quarters.

50. But even the nominal sacrifice is not very formidable.

51. From the annexed Statement (C.) prepared from the annual Reports of the Boards, it will be seen that the average of the duties collected on piece-goods in the three years 1819-20 to 1821-22 is therein stated at Rupees 12,79,001, and the future receipt, from the country trade at least, is not, I imagine, likely to be more. This statement, in so far as regards the Calcutta Custom-house, appears to be erroneous, because it does not include either the amount collected there on imports by land, nor the collections on goods brought from the United Kingdom.

52. The amount of the former may be stated at about Rupees 1,43,000. That of the latter is somewhat uncertain, the article having been strangely included in the general head of Europe goods. This however is, on the present occasion, of the less importance, because what I have to propose will not make any alteration in the rate of duty collected chargeable on such piece-goods; excluding, then, British piece-goods, and the aggregate of our average collections would appear to be Rupees 14,22,000.

53. On the export by sea of cotton piece-goods which have paid the transit duty of  $7\frac{1}{2}$  per cent., a drawback is allowed at the rate of 5 per cent. on British, and  $2\frac{1}{2}$  per cent. on foreign bottoms. Silk piece-goods and mixed stuffs have the same advantage when carried to London. The average amount paid on this account appears to be about Rupees 1,10,000. The average net revenue left to government is therefore only about 13,12,000.

54. The amount of duty levied on piece-goods, the produce of the Oude dominions, may be assumed at Rupees 96,000, on the average of the three past years.

55. Imports by sea from other quarters than Europe are stated to have yielded on an average about 15,000 rupees; under none of these heads, which give an aggregate receipt of Rupees 1,11,000, would the proposed alteration of the existing rules make any immediate change.

56. Further, I would propose to retain the duties\* now levied on the export by sea of cotton piece-goods, the produce of the Oude or other foreign territories; and on silk and mixed goods† when exported otherwise than to Europe, an

\* On British bottoms:—Except to Europe,  $2\frac{1}{2}$  per cent.; on foreign bottoms,  $7\frac{1}{2}$  per cent.

† At present these goods, the produce of Oude, (if they be any such) pay an export duty of  $2\frac{1}{2}$  per cent. on British, and  $7\frac{1}{2}$  on foreign bottoms, making the total duty retained by government in the one case 5, and on the other 10 per cent. On such goods, the produce of the British territories, if exported on a British bottom otherwise than to Europe, no drawbacks allowed. Exports on a foreign bottom pay  $7\frac{1}{2}$ ; the duty retained being in the one case  $7\frac{1}{2}$  and in the other 15 per cent.

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an export duty of  $2\frac{1}{2}$  per cent. on British, and  $7\frac{1}{2}$  on foreign bottoms, should be levied.

57. Hence a further deduction must be made from the duties, which the proposed plan will effect. The precise amount of this cannot be stated, but it would be something considerable, since, under our present law, the export duty on piece-goods amounts, on an average of the past years, to more than Rupees 1,96,000.

58. If we add this sum to the items above indicated, and deduct the aggregate from the average collections throughout the country, there will remain the sum of Rupees 10,05,000, of which two-thirds or Rupees 6,70,000 will be relinquished under the plan proposed. But against this sacrifice is to be set the probable increase in the revenue from a diminished smuggling, and from a fairer valuation of the goods subjected to duty.

59. Even, however, should the whole sum be lost to government, the propriety of the measure would not, in my judgment, be doubtful; what, indeed, the people gain, government cannot be said to lose; and in taking from our custom-law a reproach which so justly attaches to the present system, the government will assuredly gain in reputation more than, under its present financial circumstances, would be outweighed by a much more serious sacrifice.

60. That the measure will be approved by the Honourable the Court of Directors, the liberality of their views, with regard to Indian commerce, must afford a full assurance. If we could entertain any doubt on this head, it might be advisable to give effect to the measure without the formality of a legal enactment.\* The law might, as in the case of firewood and bullion, be modified by a proclamation, until the pleasure of the Honourable Court be known, that, should they disapprove, the collection might be resumed without a fresh enactment or further reference to England. But with the persuasion that the equity and propriety of the measure will be at once recognized by the Honourable Court, there is an obvious expediency in publishing our resolution in the form of a Regulation.

61. When the transit duty is reduced to  $2\frac{1}{2}$  per cent., it will no longer be necessary to give any drawback on exportation; hence much trouble and some loss perhaps will be saved.

62. The above measure, which goes merely to place our Indian subjects, in respect to what was once their great staple of manufacture, on a footing with the manufacturers of England and of Oude, appears to be one of such obvious policy and justice, that there cannot, I apprehend, be any hesitation in adopting it.

63. It may, however, deserve consideration, whether we ought not to submit to the Honourable Court the propriety of relinquishing altogether the transit duty on piece-goods, retaining merely the duties on exports and imports as noted in the margin.†

64. Of all articles subject to the customs, this is one which occasions most vexation to the people.

65. As it varies greatly in quality and value, the examination of the custom-house officers must be particularly rigid and minute. The delays and annoyance to which the merchant is exposed are of course proportionate. Further, it is an article of which

\* The Act of Parliament has been interpreted by the Court of Directors as restraining the government from restoring a duty abolished subsequent to its enactment. This was probably not intended, and it seems desirable to remove a restriction which serves no good end; for it is unreasonable to hinder government from re-establishing what it need not have relinquished.

† Imports by sea as at present. Exports on British bottoms:—Cotton piece-goods,  $2\frac{1}{2}$  per cent.—Silk and mixed piece-goods, if carried to Europe,  $2\frac{1}{2}$  per cent.—Ditto ditto, if carried to other quarters, 5 per cent.—Exports on foreign bottoms:—Cotton goods, 5 per cent.—Silk and mixed goods, 10 per cent.

which almost every native above the lowest rank possesses, and carries with him a certain quantity in a state wherein it is difficult to say whether it should be taxed as merchandize, or exempted as being in immediate use. Hence, undoubtedly, considerable vexation to almost all classes of our native subjects.

66. The relinquishment of the tax would certainly be a great boon to the people, and it is one which it would, I think, be wise to grant, under the present circumstances of our finances. Should either our revenue fail, or a necessity for expense arise, so as to render it necessary to revive the impost, it could certainly be done without any material difficulty.

67. The amount, however, of the immediate sacrifice is so large, that I should hesitate in recommending it, without the previous sanction of the Honourable Court. The immediate reduction being estimated at about Rupees 8,60,000; and further a doubt may arise, how far we could with propriety continue to levy any duty on piece-goods, the manufacture of England, after rendering free those of Bengal.

68. But if the  $2\frac{1}{2}$  per cent. duty, as piece-goods imported from the United Kingdom, be also relinquished, a further reduction of revenue would result to the extent of about Rupees 1,16,000. On this point, therefore, we ought not, I think, to determine without previously ascertaining the sentiments of the Honourable Court.

69. There are some other articles on which I am disposed to think that a change is desirable, particularly that important staple raw silk; and were the sacrifice not too great, it is impossible to overlook the many important benefits which would attend the entire relinquishment of the internal transit duties, or to disregard the obvious objections that may be stated to the principle of all such taxes.

70. Possibly it may hereafter be found practicable to restrict the customs to the imports and exports of our seaports. But it is not now my intention to enter on a discussion of the effects of that measure, further than to observe, that if ever adopted, it should be combined with an entire revision of the rates levied on foreign commerce, and that one branch of the internal duties, those levied on foreign salt (which yielded about  $11\frac{1}{4}$  lacs per annum), must be considered with reference to their effect on the Calcutta sales.

71. I am aware, of course, that even although the existing scheme of duties be maintained in its great outlines, various modifications in detail are likely to be suggested. But the general effect of these will probably be rather to increase than reduce our resources, and for the present, therefore, I shall assume that, with the above exceptions, things are to remain as they are.

72. In considering, indeed, the question of relinquishing existing duties, we must always recollect that unforeseen exigencies may arise, calling for enlarged expenditure, and that in such a case to re-establish what may have been given up may be both difficult and unpopular. Moreover, as I have already hinted, considering the subordinate character of this government, I question whether it would be justifiable in us to make any sacrifice of the kind, except in some obvious considerations of political expediency, without first submitting the subject for the determination of the authorities in England; for it is probable that the views of those authorities may not entirely accord with our own as to the disposal of the surplus; and as the matter is one of vital importance to the nation, as well as to the local government, it behoves us to be particularly careful not to commit ourselves by any step we cannot readily retrieve, and the positive relinquishment of any source of revenue is obviously of this description.

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73. Although, therefore, I am not insensible to the objections which have been urged against the collection of town duties, yet I am by no means prepared to recommend that they should be abolished, especially as they are in the majority of cases collected along with the internal customs.

74. There is, however, an application of the tax, which would, I think, be very gratifying to the people, and creditable to the government; and the question of the disposal of the surplus, which we have, and may hereafter expect, seems to be one which allows of our exercising a wider latitude of discretion than I should feel at liberty to recommend in regard to the relinquishment of revenue; for should we err in anticipating the approbation of the Honourable Court, in respect to the appropriation of funds to any particular object, their orders will soon correct us, and, generally speaking, we can readily revert to the previous condition of things, without difficulty, and with no further inconvenience than may result from the temporary change incurred, which, if our purpose be good, cannot, under present circumstances, be regarded as a serious one.

75. It is impossible for any one acquainted with the history and details of this government, not to have been struck by the conviction, that the resources of the government have not yet been sufficiently made available for works of general utility, or otherwise, for the benefit of the population subject to our rule.

76. The deficiency of the public income to answer all the demands here and at home, and the natural desire of government to avoid any increase of the debt not absolutely unavoidable, have hitherto prevented any special application of funds to such purposes: indeed, until the British supremacy was fully established over the whole continent, it would neither have been safe nor prudent to have employed, on such objects, funds that might eventually be required to forward interests of more vital importance.

77. Now, however, the case is altered, and I confess that I consider the government to be under an imperative obligation to make some special assignment from the superfluities it possesses, to promote public works and other objects of extensive benefit to the community. The principle of such an assignment is specially recognized in the Act of Parliament for renewing the present Charter; for in that Act, although the government were at the time greatly encumbered with debt, and the obligation to reduce it is prominently enforced, still there is a special provision for the assignment of a lac of rupees per annum in support of institutions for the education of youth.

78. With this example of the anxiety shewn by the Legislature to make the British rule conducive to the happiness and prosperity of the country, I think we should fail in our duty, if we did not endeavour to extend to the community some additional assistance, in consequence of the present efficient state of our finances.

79. It cannot be said that there is any want of occasion for government to extend its liberality, from there being no objects to which it could be directed with a prospect of extensive benefit.

80. The simple fact of there being no roads in the Lower Provinces, which open, for a space of twenty miles together, a land carriage throughout the year, is a sufficient answer to any such objections; moreover, the cities and towns of the interior cannot be visited without striking the beholder with sentiments of astonishment and disgust at the little attention to salubrity or comfort of any kind which they exhibit in their plan and construction.

81. In Bengal, especially, the want of ventilation, which arises from the narrowness of the streets; the crowded population, congregated in masses of filthy huts; the quantity of trees, bamboos and underwood; the pools, hollows, ditches and jheels,  
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in which the water stagnates and becomes putrid, added to the effect of the heat and moisture of the climate, render almost all the cities and towns exceedingly unhealthy.

82. In Calcutta much has been effected by the Committee of Improvement who have had at their disposal the funds raised by the lottery. The influence of their measures on the salubrity of the city is already apparent, and the result affords a satisfactory assurance of the extent of the blessings which, by a like course, we could bestow on the inhabitants of the other cities of Bengal.

83. At Dacca, Moorshedabad, and Patna, also, committees have been appointed.

84. Little, however, seems to have been accomplished at the first-mentioned city. As far back as 1810 a valuable memorandum was furnished by Mr. Strachey, on the public works and improvements required there; and the same paper has subsequently been brought to the notice of government.\* The exigencies of the public service, however, forbade any considerable disbursement, and a few thousand rupees only have at different periods been devoted to the improvement of the city. But the chief part of Mr. Strachey's plans remain unattempted, though to all appearance highly desirable of accomplishment. The encroachment of the jungle, and the accumulation of the causes of disease (which in Bengal consists chiefly in want of ventilation, and the miasma of stagnant pools), threaten the city, though possessed of many natural advantages, with a rapid progressive decay.

85. The deplorable state of Moorshedabad was represented to us so strongly, that an assignment of funds was made, even in the height of the late expensive political measures, to assist in improving the salubrity of the city. In aid of these funds, the inhabitants were called upon for a subscription, and they came forward with a willingness which, while it did credit to their feelings, sufficiently manifested their sense of the necessity of making some effort to remove the nuisances with which they were affected.

86. Much has been done by the committee; but much, I apprehend, remains unattempted for want of funds.

87. In Patna, too, various improvements have been suggested, which have not been accomplished; and even the road leading through the town to the civil station of Baukipore is unpaved, and is scarcely, I believe, passable for carriages during a considerable period.

88. At all the cities and towns, indeed, the reports of the public officers have pointed out various works urgently required, for which the labour of the convicts, and the considerable funds derived from ferry collections, are altogether inadequate.

89. Under these circumstances, it appears to me that it will be very appropriate, and at the same time a very popular measure, to assign the town duties collected in the several cities to the improvement of each. This article of revenue is a tax on consumption, which, falling of course on the inhabitants of the place, should especially be devoted to local objects, when not absolutely required to answer any purpose of state exigency.

90. The collections being uniform in regard to the liability of articles, the amount realized varies with the extent of the cities, and the same proportion will be a proper measure of their relative claim to the consideration of government, in regulating the appropriation of what might be proposed to be assigned, under any plan for devoting funds to such objects. Their total amount seems also especially to fit them to be appropriated exactly as they stand; for the fund is not so large as that the appropriation

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of it will seriously interfere with the other financial operations of the government, while less than its amount would not answer the purpose in a manner that would tend to its credit and reputation.

91. The average amount of town duties realized in the three past years was Sicca rupees 6,21,164, distributed as shewn in the margin.\*

92. I would propose that the collections at each of the cities and towns at which the duty is levied, shall, from the 1st of the current month, be placed at the disposal of committees, consisting of the principal local officers, aided at the principal cities by executive and professional persons, acting under their authority; in order to be employed in works of local utility, conducive to the health and comfort of the people, or to the general ornament and prosperity of the cities.

93. The principal works that occur to me as falling within this description, are the excavation of large and wholesome tanks, the filling up of hollows, stagnant pools, and useless ditches, the construction of pukka drains and aqueducts, the opening of new streets and roads, and the paving or widening of old ones, the removal of nuisances arising from particular trades to the most convenient places, and many similar that must suggest themselves in the circumstances of the particular places.

94. Under the express declaration of the Legislature already cited, we must of course, even if other considerations did not prompt the resolution, consider one lac of rupees out of the surplus revenue to be applicable by preference to the support of schools and other seminaries, as soon as a systematic scheme for the beneficial appropriation of the fund shall be fashioned.

95. The provisions of the Act embrace the whole of India; but it can scarcely be doubted, that, under present circumstances, the Honourable Court would sanction such an extension of the plan as would involve the appropriation of an entire lac of rupees

* Calcutta	..	..	..	..	..	..	Rupees	2,57,122	14	5
Patna	..	..	..	..	..	..	..	33,804	1	6
Dacca	..	..	..	..	..	..	..	23,508	2	11
Chittagong	..	..	..	..	..	..	..	2,091	5	2
Moorshedabad	..	..	..	..	..	..	..	58,701	10	6
Hooghly	..	..	..	..	..	..	..	1,950	10	11
Cawnpore	..	..	..	..	..	..	..	16,868	12	4
Furruckabad	..	..	..	..	..	..	..	19,074	11	3
Allahabad	..	..	..	..	..	..	..	10,828	3	7
Bareilly	..	..	..	..	..	..	..	19,443	12	5
Goruckpore	..	..	..	..	..	..	..	7,334	2	0½
Mooradabad	..	..	..	..	..	..	..	4,415	10	5
Agra	..	..	..	..	..	..	..	14,630	10	3
Meerut	..	..	..	..	..	..	..	7,065	4	2
Ally Ghur	..	..	..	..	..	..	..	7,123	1	11½
Banda	..	..	..	..	..	..	..	4,225	11	2
Etawah	..	..	..	..	..	..	..	2,954	0	9
Mirzapore	..	..	..	..	..	..	..	65,004	2	8
Benares	..	..	..	..	..	..	..	65,017	3	9
Total	..	..	..	..	..	..	..	6,21,164	4	2

At Hooghly, it should be observed, the town duty is only levied on imports into the foreign territories, the general collection having been suspended under orders that will be hereafter noticed; so, also, at Chittagong the collection is partial.

rupees to purposes connected with this presidency, if the mode of appropriation shall meet their approbation.

98. Whether the sum shall be taken from the town-duty collections, or separately supplied from the general resources of the country, may remain for future consideration, when the various demands on our resources are more completely ascertained. It is sufficient now to notice the object of public education as one for which we are bound to provide, and with which the town duties may be considered to be chargeable, if other means fail.

97. With this reservation, the whole amount should be devoted to the public works above indicated.

98. The tax being local, local purposes must of course be first attended to. But I would not have the committees laid under any rigid restrictions as to the limits to which they are to confine the application of the funds placed at their disposal. When the most urgent of the desiderata within the cities and towns are provided for, they will naturally look abroad into the neighbouring country, and the construction of roads, bridges, and seraes, within the district, or even within the province, may all be regarded as fair objects of attention, inasmuch as scarcely anything can more tend to the prosperity of the towns and the general facility of communication throughout the country.

99. The detail of the arrangements to be adopted for superintending and controlling the appropriation of these funds will be arranged in the judicial department, to which the execution of works of a public nature belongs. In this department it will be sufficient to define the funds applicable to such works.

100. With regard to Calcutta, a special provision appears to be necessary; already a large amount is appropriated to the improvements of the city, raised by means of the lotteries. It is known also to government, that hitherto the assessment of the city has not proved adequate to the charges which it is raised to defray.

101. The amount of this deficit, therefore, while any shall continue to occur, ought, I think, to be made good from the town-duty collections, and the balance (subject eventually to deduction on account of the sum to be appropriated to purposes of public instruction) should go in aid of the funds of the Committee of Improvement.

102. The appropriation I have submitted for consideration will of course be subject to the approval and confirmation of the Honourable the Court of Directors, and in the event of their disapproving of the measure, it can be discontinued at a moment's warning, without any inconvenience, and with merely the consequence of the expenditure made in the interval of receiving the orders of that authority.

103. It may hereafter deserve consideration, whether the town duties should not be re-established at some, at least, of the chief stations in Bengal, specified in Regulation X, 1810, at which the collection was discontinued, under orders passed by government on the 26th March of the following year. These orders were founded on the smallness of the collections made at the places in question.

104. On the same date the Board of Commissioners were informed of the resolution of government to discontinue the tax at the towns of Goruckpore, Mooradabad, Allyghur, Banda, Etawah, and Meerut.

105. That Board, however, stated that the arrangements adopted by the collectors were generally defective, from the imperfect information under which they were necessarily compelled to act.\* They held out the prospect of a considerable increase; they

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they urged the unexceptionable nature of the impost. The abolition of the duty within the provinces subordinate to that Board was accordingly suspended, and it has to this day been collected, yielding at the six towns in question Rupees 41,666, which is probably considerably less than might be obtained under the more constant attention which collectors in the Lower Provinces could give to the subject.

106. It seems to have been somewhat inconsistent to retain the tax in provinces where the people are still denied the benefit of a permanent settlement, and yet to relinquish it in the provinces of Bengal and Behar, and at the towns, some of which are, I imagine, more populous than those still subject to it.

107. The Board of Commissioners, in a letter dated 30th June 1812, thus expressed themselves in regard to the impost in question: \* "The town duties, which in the first year of the promulgation of Regulation X of 1810, yielded Rupees 1,96,690. 13. 9, have produced in the expired year the sum of Rupees 2,73,009. 10. 8, and may be considered still on the increase. This source of revenue appears, indeed, to be capable of almost indefinite improvement: it is an impost to which the natives are habituated, through the long and established practice of the former government, unexceptionable in every respect, and susceptible of being extended to every populous town within the provinces."

108. Under orders from the Court of Directors,† arising out of the Commissioners' Report, the Board of Revenue was required to state their sentiments as to the expediency of extending the town duties to the principal stations of the Lower Provinces.

109. In reply the Board strongly urged the expediency of the measure, but the introduction of the police-tax being then in progress, the consideration of the subject was postponed, and has not again been seriously resumed.

110. Thinking, as I do, that the benefit of the duty, if applied for purposes of local improvement, such as have been now indicated, would amply compensate the inhabitants for the inconveniences incident to its collection, and that such an application of the fund would almost wholly remove the unpopularity of the tax, while it would probably add to its productiveness; it seems to me that the collection should be renewed at all the stations specified in Regulation X of 1810, and that the question of extending it to other stations should be reconsidered. With this arrangement, it might possibly be right to discontinue the collection of the chokedaree tax. But on this subject I will not now enter.

111. The above arrangements involve a reduction of the Indian surplus revenue to the extent of Rupees 12,91,000.‡ There remains, therefore, on the calculations above stated, which I cannot but regard as very moderate, an annual net surplus of Rupees 67,09,000, applicable either to the reduction of debt, to the supply of the home treasury, to the enlargement of our civil or military establishments, to the further execution of public works, or the establishment of new public institutions.

112. Of these objects I am disposed to think the more adequate administration of civil justice, and the improvement of our military establishments, will be found most urgently to require attention. But these are points demanding separate and deliberate consideration.

(Signed)

J. ADAM.

Fort William, 22 May 1823.

\* Proceedings 29th August.

† General Letter, 28th Oct. 1814.

‡ Piece goods reduction ..... Rupees. 6,70,000  
Town Duty ..... 6,21,000Rupees. .... 12,91,000

EXTRACT Letter, in the SEPARATE DEPARTMENT, from the Court of Directors to the Governor General in Council, in Bengal; dated 17th November 1826.

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[Letter from the Governor General in Council to the Court of Directors; dated 30th July 1823.—(347 to 357; also the whole of letter 29th May 1823, in the Territorial Department.) “Establishment in the Delhi territory of the same system of custom rules as are in force on the Regulation side of the Jumna; reduction of the transit duty on piece-goods; and appropriation of the town duties to local purposes.”]

Para. 92. We fully concur in the reasons which induced you to relieve the inhabitants of the Delhi territory from a very heavy, and, in some respects, an oppressive system of duties, and to place them on the same footing as the people in our fully-established provinces. We approve entirely the arrangements which you have made for carrying this design into effect.

93. You will learn by our letter, dated 11th June 1823, that your views in relation to piece-goods had been anticipated by us. You are

already, therefore, in full possession of our opinions on that subject, and it is only further necessary to inform you, that a reduction of duties on cotton-yarn, on piece-goods and shawls, imported from India, to a duty of ten per cent. above any internal excise duty on printed cottons, is among the measures this year of the British Legislature.

94. We have perused, with great satisfaction, the minute of your late Governor General, under date the 22d May 1823. We concur entirely in his enlarged and beneficial views, accompanied as they are with suggestions, for the most part equally judicious and practical.

95. We have no doubt that if it be at all expedient to retain the town duties, the appropriation of that part of them which is contributed by each town to its own local improvement, is the best mode of applying them. The only question is, whether the good likely to be effected by the laying out of the money, under all the disadvantages of the case (for government expenditure is seldom an economical expenditure), will be an adequate compensation for all the privation and vexation to which these duties give rise in the collection. We incline, we confess, to the opinion that it will not. You propose, for the superintendence of this disbursement, to form a committee of the officers of government on the spot; but they will act in this case under so feeble an interest, and so little responsibility, that a slender portion, we should apprehend, of the attention of a class of men whose time and thoughts are so much engrossed by the calls of imperative duty, would be reserved to this accessory department. One thing might operate, in some degree at least, as a corrective of that apathy which may otherwise be anticipated, namely, a mixture in each committee of improvement of some of the principal men among the natives of the place. This, if not otherwise objectionable, would have two advantages; it would infuse into the committee a portion of that interest in the improvements which is necessary to secure exertion for the attainment of them, and it would be a case in which a gratifying share in the management of their own concerns would be conferred, without any risk, upon the natives, an object which you have often pointed out to our attention as one of the greatest importance.

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EXTRACT Letter in the SEPARATE DEPARTMENT, from the Governor-General in Council, in Bengal, to the Court of Directors, dated 31st May 1827.

Para. 17. On the 10th of February 1825, we communicated to your Honourable Court the apprehensions that we entertained with regard to the line of policy likely to be pursued by the government of the Netherlands, in carrying into effect those clauses of the treaty concluded by His Majesty's Government with that power, which refer to the rate of duties to be levied in its Eastern dependencies upon the import of British or British-Indian produce.

18. Having referred the subject of that despatch for the consideration of your Honourable Court, we proceeded, on the date noted in the margin,\* to modify our custom-laws, in conformity with the treaty above referred to, extending, of course, to the subjects of all European states in amity with Great Britain, and of the United States of America, a participation in the privileges, with regard to customs, granted to the subjects of the Netherlands government. We took advantage of the same opportunity to consolidate and simplify the existing rules, whether affected or not by the considerations above-mentioned, relative to the rates of duty chargeable, and drawbacks allowed on imports and exports by sea.

19. The law is numbered as Regulation XV of 1825, and bears date the 14th of July 1825; but upon a reference made by the Board of Customs whilst it was in the press,† we directed that its provisions, as far as they related to foreign goods or shipping, should take effect from the 7th May 1825, the date on which the settlement of Chinsurah was delivered over by the Netherlands authorities.

20. Your Honourable Court will observe that that Regulation rescinds all those provisions of previous enactments by which the rates of duty and drawback above-mentioned were fixed, supplying the place by three schedules appended to and forming a part of the new law. The plan is simple, and doubtless a great improvement upon the old system, under which much valuable time and labour was lost in searching for and ascertaining the scattered information which is now presented in a compact form, and with every facility for reference, both to the officers of government and the commercial community. The first schedule specified the amount of duties chargeable on the several descriptions of goods imported by sea; the second, the drawback allowed upon re-export; and the third regulates the duties or drawbacks on articles produced or manufactured in the country, when exported by sea.

21. For further particulars we beg to refer your Honourable Court to the note submitted to us with the draft of the Regulation, by Mr. Secretary Mackenzie, and to the Regulation itself. The former particularizes and explains all deviations from the rates proposed by the Board, or from former rules and practice, upon the grounds of policy or expediency applicable to each case. We would particularly direct your notice to paragraphs 8 to 13 of that memorandum, which bear upon the subject of re-exports.

22. With reference to the 14th and following paragraphs of the paper above alluded to, we would earnestly request the attention of your Honourable Court to the propositions laid before us at the same time, in a separate form, by Mr. Mackenzie, respecting the expediency of a radical change in the system of custom-law, by the abolition of all internal transit duties, and the extensive modification of the rules applicable to imports.

23. We most cordially coincide in all the opinions expressed by Mr. Mackenzie with

\* 1825: Cons. 23d June, No. 16 to 26. † 1825: Cons. 29th September, No. 12 and 13.

with regard to the clumsiness, vexation, and expense of the system under which a revenue is raised through the medium of inland transit duties. It cannot be doubted, especially when the nature of the native agency unavoidably employed is taken into consideration, that a direct tax is levied upon traders, far exceeding in amount the sum which the duty brings into the coffers of the state, and even from this heavy deductions are afterwards made for the payment and maintenance of numerous officers and large establishments; and it must also be borne in mind that, in addition to the expense incurred in satisfying the legal demands or extortion of the officers of government, the mercantile community must frequently be subject to heavy losses from detention, which benefit neither the state nor individuals, but which operate with as much effect upon the cost of the article, and, consequently, upon its chance in a foreign market, as an export duty payable in Calcutta, or customs levied at the port of its destination.

24. Mr. Mackenzie calculates that the general defalcation which the abolition of transit duties would occasion, supposing that no alteration was made in the rate of sea import and export duties, and that the duty on western salt at Agra and elsewhere were retained for the protection of the monopoly in the Lower Provinces, would amount to twenty-two lacs of rupees. But he is of opinion that the increase of trade consequent upon the introduction of so free and unhampered a system, would considerably enhance the revenue derived from export customs, even without any change of rates; and the abolition of the several custom-houses in the interior would afford another large off-set to the loss specified above. We think also that the defalcation might be still further reduced by continuing the duties upon shawls and other articles, the produce or manufacture of foreign India, imported into our territories by land, which might be collected, at a very trifling additional expense, by the establishments necessary for the realization of the western salt duty: and under the present exigencies of the public service, it is a consideration of no little weight that the measure, if carried into execution, would place at our disposal for general purposes a number of officers now employed in superintending the collection of transit duties.

25. The greater part of the deficiency, however, could not be replaced without a complete revision of our sea export and import customs; and even that measure would not, probably, immediately meet it to its full extent. So extensive a change of system could not, of course, under any circumstances, be introduced without the formal sanction of your Honourable Court; and at the present moment our finances are in such a depressed state, that no plan involving a sacrifice of actually existing revenue, can consistently be acted upon, however easy or safe its execution may appear, and whatever certainty of future advantages it may hold out. But this consideration does not, and should not, blind us to its excellencies, nor deter us from looking forward to a period when, with the concurrence of your Honourable Court, it may wisely and beneficially be adopted.

26. We beg to refer your Honourable Court to Mr. Mackenzie's note for several important remarks upon the comparative value of an export trade to India, arising from the artificial nature of her connection with England; the relative pressure of import and export duties respectively upon the trader and consumer; the principles by which such customs, but particularly the latter, should be regulated; the degree of preference to be given to the produce and manufactures of Great Britain, or to goods imported on British bottoms, or articles of a similar nature, the produce or manufacture of foreign states, or imported on foreign shipping; and other matters of an interesting nature, connected with the general question. On these it would be highly instructive and useful to this government to receive a communication of the general views of your Honourable Court.

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27. In the meantime we shall sedulously seek for information calculated to illustrate these subjects, and to afford useful light upon such important and delicate points of legislature.

EXTRACT Letter, in the SEPARATE DEPARTMENT, from the Court of Directors to the Governor-General in Council in Bengal; dated 10th June 1829.

[Letter from the Governor-General in Council to the Court of Directors; dated 31st May 1827.—(17 to 27.)  
“Modification of the customs regulations, rendered necessary in consequence of the treaty with the Netherlands government of 17th March 1824.”]

Para. 6. We think that your mode of proceeding in this matter has been judicious. We have no doubt that, by rescinding all those provisions of former enactments by which the rates in question were established, and consolidating the whole in one single plan, much time and trouble, which was expended under the confusion of the old system, will be saved both to the officers of government and the mercantile community.

The alteration of the rates, so far as demanded by the treaty, requires no remark. We cannot doubt the propriety of your preserving the equality between the state of the Netherlands and other states in amity with Great Britain, by granting the same privileges to all. None of the other changes are of sufficient importance (especially as a still more general revision and enactment is in preparation) to call at present for particular notice.

7. At the same time with the draft of the Regulation for effecting these changes, a note was submitted to you by Mr. Secretary Mackenzie, stating some general views with regard to your policy of customs, to which you earnestly request our attention. These views appear to us not only to be sound, but to be accompanied with such suggestions for their limitation, when applied to existing circumstances, as practical wisdom appears to require. With respect to the transit or inland duties on commerce, you are not unapprized of the weight which we have long attached to the objections against them, and you may therefore anticipate our concurrence in the wish that is expressed by Mr. Mackenzie, that a mode could be adopted, without enfeebling the resources of your government, of relieving the people and their industry from the burthen which this duty lays upon them, of which we are satisfied that Mr. Mackenzie speaks in no exaggerated terms, when he describes it as “a complex and burthensome system, which divides by various artificial barriers the different provinces of the country from each other; exposes the merchant to numerous detentions, frequently vexatious and expensive, and subjects the community in general to the hateful requisition of a host of petty tyrants.” Both yourselves and Mr. Mackenzie feel the impolicy of risking any thing by an experiment, in the present state of your finances; and he only throws out for consideration the suggestion of so modifying the duties of export and import as to supply the deficit in your treasury which would be created by the loss of the inland duties. Whether your sea-borne commerce could bear the imposition of such duties as would thus be required, we have not materials before us on which to found an opinion; and a proposition of such importance must undergo very careful consideration before it can be adopted as a practical measure. We have no doubt, however, that the public, if no depression of commerce would be the result, would feel much less the burthen of paying the same revenue levied on the external than the internal trade; and we agree with you, that the impediment arising from existing circumstances, “should not blind you to the excellences of the one of these modes compared with the other, nor deter you from looking

looking forward to a period when, with our concurrence, that which merits preference may be wisely and beneficially adopted." It is not necessary to enlarge upon the other points of commercial policy touched upon in the note of your secretary; it is sufficient to declare our conviction that the scope and spirit of his observations are sound and correct; and that, as far as possible, your measures should be founded on similar views. Attention to the modifications with which general conclusions ought to be reduced to practice, Mr. Mackenzie most judiciously inculcates; and we, at this distance, can form but a very general and imperfect estimate of the peculiar modifications which the varying circumstances of India in this, as in other cases, may require.

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EXTRACT Letter, in the SEPARATE DEPARTMENT, from the Governor-General in Council, in Bengal, to the Court of Directors; dated 30th October 1828.

Para. 101. OUR proceedings of the annexed dates contain the result of our endeavour to procure the information required by your Honourable Court, in your letter of the 11th June 1823, relating to the annual export of piece-goods from the year 1793; also respecting the price of that article in each year, as well as in regard to the price of raw cotton, cotton thread, the wages of labour, and the price of grain. The Board of Trade, in submitting their opinion, stated the advantages which would result from encouraging native manufacturers and weavers, and dilated on the effect which that measure would have upon the revenue of government.

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102. We remarked, that the statements furnished by the Board in this instance afforded no means of comparison between the rates of wages or of value in different parts of the country; for in the mode of estimating the several articles which had formed the subject of inquiry, as in the quality reported, there was no uniformity, but each of the residents had apparently made his own selection. Thus, with respect to the wages of labour, in some instances the rate was stated by the daily price, and in some at the rate per seer of cotton yarn produced, which latter, as the yarn was of extremely variable intrinsic worth, afforded necessarily a very fallible criterion.

103. Nevertheless, as the same mode of expressing the result appeared to have been carried through each year for the same residency, the statement would, so far as it could be relied upon, afford the means of judging of the fluctuations from year to year; and as this was one principal object in calling for the statements, at the same time that to obtain more uniform and complete information through the means of the commercial officers seemed to be an operation attended with more delay and trouble than had been anticipated, we deemed it expedient to allow the statements to be recorded as they were, for eventual transmission to your Honourable Court.

104. With respect to the concluding observations in the letter of the Board of Trade, we only remarked that the diminution of the export trade in cotton piece-goods, and the loss to India of that command of the markets of the world in this article which it had enjoyed for ages before, had been owing to causes quite independent of the fiscal measures of government. The cheap labour of Bengal had not been able to compete with the spinning-jennies and power-looms of England; but this country could have no reason to complain while the produce of its labour had the command of the local market; and the piece goods being made on the spot where they are consumed, the promptness of return must necessarily secure this to the manufacturer, especially since

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since the article had been relieved from the unequal impost, in the shape of transit duty, which had been laid on at a time when Bengal piece-goods were supposed to be beyond the influence of all competition.

105. We could not admit that the duty of five per cent. on cotton wools had any material influence on the price of the cloth, or was calculated to place the Bengal manufacturer on a footing of disadvantage relatively to the manufacturer of Europe, whose operations are conducted with an article originally of foreign growth, and procured therefore at much greater cost.

106. On the whole, under existing circumstances, and until the revenues of India should again yield a surplus, we thought it would be impossible to make further reductions in the rates of duty chargeable on cottons by the existing tariff.

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BENGAL :—SEPARATE DEPARTMENT, CUSTOMS.

Our Governor-General in Council, at Fort William, in Bengal.

27 January, 1830.

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Para. I. OUR last letter to you in this department was dated the 6th May last.

2. We now reply to paragraphs 101 to 106 of your letter in this department, dated 30th October, 1828, stating the result of your endeavours to procure the information required by our despatch, dated 11th June 1823, in regard to the manufacture and traffic of cotton goods, and also your decision relative to our recommendation contained in that despatch, to abolish the duties on the transit and exportation of those goods.

3. It is to this latter subject that we now direct your attention; because, though we agree with you that fiscal regulations have not had the principal share in depressing this branch of Indian traffic, and that they can operate but feebly towards its revival, we are, nevertheless, exceedingly desirous that they should offer no obstruction to it.

4. In our letter above referred to, we said, "Upon all these considerations, we direct, that on the receipt of this communication you do immediately take into your particular consideration the propriety of abolishing all internal duties, under whatever name collected, on piece-goods and on raw cotton, the produce either of our own territories or those of our allies. The principles on which our views are founded appear to us so clear and just, that we can hardly anticipate any possible objections on your part. Unless, therefore, you can show that we are essentially mistaken in the facts from which these views are drawn, we desire that you will immediately proceed to the abolition, and that you will communicate your decision to the other presidencies, and require them to adopt the same line of conduct."

5. You have made no objection to the principles on which this recommendation was founded; and have grounded your non-compliance on the single circumstance of the state of your finances. It is highly necessary that we should have some precise data to go upon, in a case of this nature, and you ought, undoubtedly, along with the report of your having come to a decision contrary to our recommendation, to have transmitted a statement of the amount of revenue which you thought it impolitic to forego: if the amount were considerable, we should agree with you, that a more favourable time should be waited for; if, as we infer from the imperfect materials before us, the revenue now drawn from this source is but small, the importance of relieving this branch of trade from its burthens would appear to us a sufficient compensation. We therefore desire you, either, if we are correct in this inference, to act upon

upon our former orders, or if not, to send us without delay a statement of the revenue which you derive from the duties upon cotton. In the former case our view would include the abolition of all internal duties on cotton piece-goods (whether mixed with silk or not, but not piece-goods entirely silk), and on raw cotton; with the exportation, exempt from duty, of cotton piece-goods: we wish to retain the impost upon the export of raw cotton to all places other than the United Kingdom, to the extent now levied as transit duty, imposing a direct duty on such export equal to the present transit duty, which we desire to abolish.

6. The general objections to transit duties appear to us more deserving of attention each time we recur to the subject. The suggestion of Mr. Secretary Mackenzie, of supplying the place of the revenue thence derived by an increase of custom duty on goods imported, to which we adverted in our letter dated 10th June 1829, though not free from objections, deserves to be seriously considered, as promising to operate less injuriously than the system of transit duties, if no better substitute can be devised. We desire you, therefore, maturely to weigh all considerations having reference to the details of this plan, and to transmit to us the result of your deliberations without delay. The best expedient for saving time will possibly be to frame the Regulation, the enactment of which you would recommend; and, when transmitted, we can sanction and return it immediately, if we find it conformable to our views.

We are your affectionate friends,

(Signed)

J. LOCH.

W. ASTELL.

J. MORRIS.

C. E. PRESCOTT.

H. ALEXANDER.

J. G. RAVENSHAW.

G. RAIKES.

J. D. ALEXANDER.

N. B. EDMONSTONE.

J. BEBB.

W. S. CLARKE.

J. THORNHILL.

J. MASTERMAN.

C. MILLS.

H. ST. G. TUCKER.

London, 27th January 1830.

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EXTRACT Letter, in the SEPARATE DEPARTMENT, from the Governor-General in Council, in Bengal, to the Court of Directors; dated 1st October 1830.

12. Your Honourable Court will perceive that the tariff of inland custom duties, levied at this presidency, has lately attracted the attention of the Finance Committee, and that we have directed its revision, with particular reference to the sentiments of your Honourable Court; besides which, these duties have been the subject of frequent discussion at our Council-board, as well in connection with the sea-customs revenue as separately from it.

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13. In a minute, the Honourable Sir Charles T. Metcalfe recorded his sentiments on this subject, and submitted some propositions having for their object to increase the revenue derived from sea-customs by enhancing the rates.

14. After stating the grounds which led him to the consideration of the question, Sir C. T. Metcalfe described the principles upon which he thought the department should be regulated; viz.

1st. That it was right to turn our attention towards any practicable and unobjectionable increase of revenue, at a time when we found it difficult, without probable injury to the public interests, in addition to much individual loss and disappointment, to reduce our expenditure within our income.

U

2d. That



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2d. That the custom revenue of the port of Calcutta offered a source of increase under new regulations.

3d. That India had a right to a fair and reasonable custom revenue in her ports.

4th. That any regulations in the ports of the United Kingdom, which were unjust and injurious towards the trade of India, ought to be abolished or modified.

5th. That the best rules generally to be adopted in raising the custom revenue of this port, would be freedom of trade and equality of duties for every country and every flag; and,

6th. That the duties to be levied ought to be such as would produce the highest revenue without impeding consumption.

15. The minute in question had reference exclusively to the existing tariff of custom duties on the imports and exports at this presidency. We resolved to transmit a copy of it to the Civil Finance Committee, with instructions to the following effect.

16. It being one of the objects contemplated in the appointment of the Finance Committee that they should advise government in respect to the means of improving revenue, as well as for the curtailment of expenditure, we stated that we had thought it advisable to submit for their report the following questions, adverted to in the above-mentioned minute, a copy of which accompanied :

First. Whether the duties on imports and exports by sea might not be equalized, with certain exceptions, and at the same time augmented, so as to be more productive than at present.

Second. Whether the distinctions of the present tariff, in the case of goods the produce of other than His Majesty's dominions, and likewise those referring to the bottom, whether British or foreign, might not be revised advantageously. The principle on which the rates were made to increase in geometric progression (being for the most part doubled to foreigners on either account), appeared to us to bear hard on articles of high value, when assessed with a high *ad valorem* duty. We were not prepared to go the length argued in the minute of Sir C. T. Metcalfe, and abandon altogether the advantage secured by the tariff for the productions and for the shipping of Great Britain; the question in regard to which we desired the Finance Committee's mature opinion respected only the proper line to be drawn in giving encouragement to both, without injuring revenue on one hand, and unnecessarily restricting the commerce of foreigners on the other.

Third. The rates of the tariff on what used to be called the country trade, but which are at present applicable to imports and exports from and to all places except Great Britain, foreign Europe, and the United States of America, seemed to us to require revision, more especially since they had come to be applied to the productions of British colonies and settlements, and to those of the states of South America, whose independence had for some time been recognized.

17. The regulation of the tariff on the external trade would of course, we stated, require a reference to your Honourable Court before any alteration could be made thereon. It involved, however, questions of principle rather than that of accurate acquaintance with the course of trade and the practice and details of commerce, which required specific investigation; at the same time the rates that might finally be settled would, when approved by your Honourable Court, apply equally to the three presidencies. We urged, therefore, that it was desirable we should receive an early communication

- communication of the Finance Committee's sentiments on this subject, with a view to its being brought without loss of time to the notice of your Honourable Court.

18. We added further, in our communication to the Finance Committee, that the revision of the tariff of inland transit duties was a matter of equal importance, not necessarily connected with the points referred, but on which we were also desirous to learn their sentiments, when the subject might have been considered by them in detail. The entire abandonment of these duties had been more than once submitted to our consideration, and if an equivalent could be found for them in any other imposts, the question was one which, with reference to the sentiments of your Honourable Court, we were disposed to entertain.

19. Upon the above instructions to the Finance Committee, Sir C. T. Metcalfe recorded a second minute, containing some observations in explanation of his views in respect to the proposed revision of the tariff rates: in this minute Sir C. T. Metcalfe suggested that a statement should be prepared of the transit duties which were indicated as proper to be abolished, and an account of the annual revenue derived from those duties.

20. Our secretary in the General Department, in compliance with this requisition, laid before us a note relative to inland customs, to which we beg to refer your Honourable Court.

21. Sir C. T. Metcalfe thereupon recorded a further minute in explanation of his former minutes on the subject, which, together with an additional note by our secretary, and a statement of the collectors upon every article of commerce at each custom-house, for the year 1827-28, will be found in the proceedings of the date cited in the margin.

22. The Finance Committee, in a letter recorded on the annexed date, submitted their reply to the instructions cited, reporting on certain points connected with the equalization of duties on imports and exports by sea, and a revision of the present tariff of rates.

23. In acknowledging the receipt of the above-mentioned report, we apprized the committee that we approved for the most part the views and suggestions offered by them; and desired them to proceed with the revision of the tariff on the principles explained in their letter. In order to put the committee in possession of the views of the authorities in England, to whom the new schedule of duties would necessarily have to be submitted before it could be passed into law, we forwarded to them a copy of your Honourable Court's despatch of the 27th January 1830, which had just then been received. We remarked to the Finance Committee that they would observe that your Honourable Court were not only prepared to receive a recommendation for a change in this branch of the receipts of the government, but had actually enjoined the revision to be undertaken. Before adopting, however, any measures for the abandonment of the duties proposed to be discontinued, we intimated to the committee that we had called for some information from the Board of Customs, salt and opium, in respect to the amount collected on the particular articles noticed by your Honourable Court for exemption from duty. The records of the Board and of government were of course open to the Finance Committee, and it would be a source of satisfaction to us to have the report of their sentiments and recommendations at as early a date as possible, in aid of our decision as to the course to be taken upon your Honourable Court's orders in this respect.

24. The Committee, we observed, would be able to judge, as they proceeded with their labours, of the convenience, or the contrary, of giving the revised tariff the shape of a single schedule for all articles, as at present, or of making each duty pro-

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posed for alteration the subject of a separate Regulation. The only benefit expected from following the latter course was, that government would thereby avoid the chance of its being deemed necessary in England to reject the whole scheme of revised duties, because one item might be disapproved, in consequence of there existing no authority in the Court to alter the Regulation as transmitted from India.

25. From the above recapitulation of our proceedings on this important question, your Honourable Court will be able to judge of the degree of attention it has excited, and of the principles which have hitherto guided our determination. We wish the whole scheme of our customs' revenue to be revised, and put on an unexceptionable footing in all respects; but we are desirous to avoid incurring any present sacrifice of revenue, and are particularly anxious not to commit ourselves to any measures involving such a sacrifice until an entire scheme for their duties shall be approved by us, and we shall be able to judge of the extent of loss threatened, and of the effect of the measures proposed to be taken on the revenue on one hand, and on the internal and external trade of the country on the other.

26. So soon as the Finance Committee shall have furnished the report called for, with a revised schedule for import, export, and internal duties, we shall not fail to address your Honourable Court at length on the subject; indeed, it will be necessary for us to submit to your Honourable Court for approval any Regulation we may resolve to pass for altering the rates of duty now levied in either branch.

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Appendix, No. 20.

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COPIES or EXTRACTS of all DESPATCHES sent to India by the Court of Directors since the passing of the Act 53 Geo. III. c. 155, relating to the COLLECTION of any of the REVENUES of the Indian Governments in kind.

Collection of  
Revenues and  
Kind.

Court's  
Instructions  
to India.

EXTRACT Letter, in the REVENUE DEPARTMENT, from the Court of Directors to the Governor in Council at Bombay; dated 14th July 1819.

[Letter from the Governor in Council to the Court of Directors; dated 28th May 1817.—(159 to 166.) “ A reference has been made to the collectors “ of the different districts to consider “ and report upon the best mode of “ giving effect to the instructions contained in the 159th paragraph of the “ Court's despatch for commuting the “ payments of the revenue in kind for “ equivalent money-contributions; and “ the collector of Salsette has been “ called upon to furnish information as “ to what extent the cultivators of “ Salsette have availed themselves of “ the option which they have enjoyed “ since 1798 of paying the revenue in “ grain or in money.” ]

Para. 98. You will of course transmit to us all the information which you may receive upon this important subject.

EXTRACT

EXTRACT Letter, in the REVENUE DEPARTMENT, from the Court of Directors to the Governor in Council, at Bombay; dated 7th April 1824.

[Letter from the Governor in Council to the Court of Directors; dated 7th March 1821.—(51 to 54.) "Report of the collector in the Northern Concan, on the effect of the option allowed them to pay a money-commutation for payment in kind."]

Para. 25. We feel both surprise and displeasure at the fact, attested by the collector, that owing to the imperfect publication and imperfect language of the Regulation, the people of Salsette have remained in ignorance of the option allowed them. We trust that special precaution will be taken to remove and prevent, in all cases, an evil of so much mag-

nitude. We still remain imperfectly informed, not only with respect to the progress which has been made in the territory subject to your government, in commuting payments in kind into money, but with respect to the difficulties which oppose it, and the means which you possess of overcoming them. We refer you to paragraph 98 of our letter, dated 14th July 1819.

EXTRACT Letter, in the REVENUE DEPARTMENT, from the Court of Directors to the Governor in Council, at Fort St. George; dated 18th August 1824.

Para. 24. It was no doubt expedient to adhere, as you did, to the principle of a fixed money assessment, notwithstanding the predilection of the people\* for their old method of a division of the produce; and you seem not to have neglected any inquiry which was necessary to enable you to fix the demand according to the productive power of the lands.

EXTRACT Letter, in the REVENUE DEPARTMENT, from the Court of Directors to the Governor in Council, at Bombay; dated 14th November 1827.

[Letter from the Governor in Council to the Court of Directors; dated 15th June 1825.—(14.) "Payment in money, not in kind, general in the Bombay Territory."]

Para. 7. It is satisfactory to learn, that with the exception of some parts of the Southern Concan, the revenues are received in money in all the territories subordinate to your presidency. In these same parts of Concan the ryots preferred paying in money in the particular year

to which your observations related; and though we apprehend that this was owing to the scarcity which was experienced in that year, the practice, once begun, should be persevered in if possible.

EXTRACT Letter, in the SEPARATE DEPARTMENT, from the Court of Directors to the Governor-General in Council, in Bengal; dated 18th May 1831.

Para. 39. We learn by your letter of the 7th July 1829, that you have deemed it inexpedient to maintain an agency in Arracan; that you had resolved to leave the manufacture and local consumption free, and merely to purchase salt for export to Calcutta, or receive it in payment of the land revenue, at 7 annas to the maund, as a resource to those who depended on the manufacture for a livelihood.

\* Of Tanjore.

## II.

### TRADE.

Collection of Revenues in Kind.

Court's Instructions to India.

## II.

## TRADE.

Interference  
with Private  
Traders.

Court's  
Instructions  
to India.

## Appendix, No. 21.

COPIES or EXTRACTS of all DESPATCHES sent to INDIA by the Court of Directors since the passing of the Act 53 Geo. III. c. 155, as to the INTERFERENCE of the AGENTS of the COMPANY with PRIVATE TRADERS in respect of any Article of which both are Purchasers.

EXTRACT Letter, in the PUBLIC DEPARTMENT, from the Court of Directors to the Governor-General in Council, in Bengal; dated 6th September 1813.

22. WITH respect to the commercial branch, we strictly enjoin your scrupulous attention to its economy and management, not only as it may be connected with the proper applications and employment of our own funds, but as it may be affected by the enlarged or general competition which is now admitted into the trade of India.

23. You will from time to time be furnished with our orders upon this subject, but we cannot omit, on the present occasion, expressing our expectation, that all our servants shall conduct themselves with liberality and candour, and act to the full spirit of the Legislature, so that if the traders should be disappointed in their views, they may have no ground for imputing their disappointment to any deviation, on our part, from the principle upon which the trade is opened to them.

EXTRACT Commercial Letter from the Honourable the Court of Directors to the Governor in Council, at Fort St. George; dated 6th November 1822.

32. No covenanted servant who shall be employed in the provision or management of any part of our investment, either at the presidency or at the subordinates, may engage in private trade of any kind, but must devote his whole time and best talents to the service of the Company.

EXTRACT Commercial Letter from the Honourable the Court of Directors to the Governor-General in Council, at Fort William in Bengal; dated 3d December 1823.

[Commercial Letter from Bengal; dated 1st April 1822:—(Paras. 20 to 27.) “ The Governor-General in Council refer to their letter of the 4th January 1821, respecting the case of Mr. H. Williams, late commercial resident at Commercolly, in which they had incidentally adverted to the expediency of revoking the privilege of private trade enjoyed by the commercial servants, and then stated their opinion, that on the existing scale of the investments, the emoluments of the commercial agents were sufficiently large to render the revocation a

2. We have taken into our serious consideration the subject matter of the paragraphs which are noticed in the margin; viz. the expediency of longer continuing to the residents at the commercial factories the privilege of engaging in trade upon their private account.

3. The result of our deliberations has satisfied us, notwithstanding the doubts expressed in our letter of the 9th February 1821, regarding the article of raw silk, that it is not expedient to disturb the present system by depriving the commercial servants at the factories of the privilege of engaging in private commerce, provided it be conducted according to the terms of

"matter of no hardship to them. Had  
 "called upon the Board of Trade for  
 "their sentiments upon this subject,  
 "and desired them to report on the  
 "means adopted to guard against im-  
 "proper advances being made by the  
 "commercial residents, and to prevent  
 "accumulations of outstanding balances.  
 "Reply of the Board transmitted, and  
 "the particular attention of the Court  
 "requested to the proceedings. The  
 "privilege of private trade does not ap-  
 "pear to prove advantageous to the  
 "commercial residents; if sufficient time  
 "were given to the present officers for  
 "closing their present concerns, it might  
 "be prohibited in future, without depriv-  
 "ing them of any justly-expected emo-  
 "lument. Government, however, deem  
 "it equitable that the present residents  
 "should receive some compensation for  
 "what might, under a change of circum-  
 "stances prove a source of profit to them.  
 "Difficulty in estimating the rate of in-  
 "demnification for the loss of a privilege  
 "which may only eventually prove ad-  
 "vantageous. Great inequality in the  
 "emoluments of the different factories.  
 "An increase of salary would be more  
 "suitable than the allowance of the full  
 "commission of five per cent. The  
 "Commercial Department called upon  
 "to state the time in which they could  
 "reasonably expect to terminate the

the existing Regulations.—See the Letter from Lord Cornwallis to the Court of Directors, dated the 1st November 1788, and various other documents about that period, as noticed in the margin,\* more especially the Minute in Council of the 30th October 1789, and the Regulation for weavers, No. XXXI of 1793.

4. In communicating to the Board of Trade our present directions, you will be pleased to issue an injunction to that Board to exercise all due vigilance in causing the commercial servants to conform strictly to all the orders and limitations which have been issued from time to time for the government of their conduct in respect of their private trade.

5. The seventh and eighth clauses of the Regulation XXXI of 1793, ordain that a commercial resident shall not take any commission for agents or others, but deal merely upon his own stock as a merchant, nor shall he carry on any trade in his auring, directly or indirectly, in the name of any other person; and the tenth clause requires that he shall annually report to the Board of Trade the amount of his private dealings, in order that the Board may communicate to government any observations which the subject may require: notwithstanding which enactments, it appears that the commercial resident at Cossimbuzar (and possibly others) is engaged largely in partnership concerns, by which the Regulation is rendered nugatory.†

6. You

## II.

### TRADE.

Interference  
with Private  
Traders.

Court's  
Instructions  
to India.

* Court's General Letter to Bengal	..	..	..	..	12th April	1786
Ditto Commercial ditto	..	..	..	..	27th March	1787
Ditto .. ditto ..	..	..	..	..	28th ditto	1788
Ditto .. ditto ..	..	..	..	..	28th April	1790
Ditto Public Letter	..	..	..	..	ditto.	
Ditto .. ditto	..	..	..	..	10th April	1805
Ditto Commercial	..	..	..	..	9th April	1814
Governor-General in Council to the Court, Public Department	..	..	..	..	19th Feb.	1787
Ditto .. .. ditto	..	..	..	..	6th March	1787
Lord Cornwallis to the Court	..	..	..	..	1st Nov.	1788
Governor-General to ditto, Public Department	..	..	..	..	10th Aug.	1789
Minute of Governor-General in Council	..	..	..	..	22d Jan.	1787
Resolution of Government	..	..	..	..	29th Jan.	—
Board of Trade proceedings	..	..	..	..	22d March	—
Ditto	..	..	..	..	12th Sept.	—
Ditto	..	..	..	..	7th Dec.	—
Bengal Public Consultation	..	..	..	..	4th March	1789
Ditto	..	..	..	..	30th Oct.	—

† See Mr. Dros's Letter to the Board of Trade, dated the 15th Dec. 1821.

## II.

## TRADE.

Interference  
with private  
Traders.

Court's  
Instructions to  
India.

"private speculations in which they  
"were engaged. The Board of Trade  
"called upon to state their sentiments.  
"A member of the Board to visit the  
"factories periodically, in order to check  
"improper advances to the Pykars, &c.

"An attentive consideration of the  
"circumstances stated by the Board  
"of Trade, and the several commercial  
"residents, has confirmed the Governor-  
"General in Council in the opinion they  
"before entertained of the expediency  
"of withdrawing the privilege of private  
"trade hitherto enjoyed by the Com-  
"mercial Department. But desirous to  
"avoid so serious an innovation without  
"the special sanction of the Court, shall  
"await the receipt of Court's orders,  
"which are earnestly requested."]

6. You will therefore direct that any commercial servant, whether resident or assistant at the factories, who may be engaged in partnership concerns (a course of proceeding which we consider to be in violation of the spirit of the Regulations), proceed to close the same without delay; and you will require such of the commercial servants to deliver to the Board of Trade a declaration, in writing, either that he is free from any partnership engagements, or that he will free himself therefrom in such space of time as the Governor-General in Council may appoint; and if he shall be so engaged that he cannot close his partnership concerns within the period which government may ordain, he must retire or be removed from his office.

7. We further desire that you promulgate a regulation more distinctly prohibiting such partnerships under any modification whatever.

8. It is not, however, our intention that our present orders should be construed to forbid our commercial servants from becoming members of insurance companies, or from being contributors to a tontine, or parties in any general association, the objects of which were not contemplated in the existing prohibitory Regulations.

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EXTRACT Letter, in the PUBLIC DEPARTMENT, from the Court of Directors to the Governor-General in Council at Bengal, dated 11th July 1827.

Para. 21. A REPRESENTATION has been presented to us from several of the merchants and agents in London, who are connected with the trade of the East-Indies, stating that urgent complaints have been made to them by certain British merchants resident in Calcutta, of the very serious disadvantages which, in consequence of the existing commercial regulations of the government, the private traders have to encounter in their endeavours to procure articles of the produce or manufacture of the interior of Bengal, for the purposes of a return investment in exchange for the produce and manufactures of this country; and that, impressed with the importance of these representations, they (the London merchants) have comprised them in a statement, to which they solicit our attention.

22. A copy of the letter from the London merchants, which is dated the 30th of June 1825, and also copy of a further letter from the same gentlemen, dated the 1st November 1825, will be found in the packet.

23. The merchants also complain that the commercial residents are permitted to engage in trade as agents for others, and, from their official influence, derive an obvious advantage over any private competitors. Upon this complaint, in which we fear there is too much of truth, we refer you to our letter in this department, of the 3d December 1823, on the case of Mr. Henry Williams, late commercial resident at Commercolly,

## SELECT COMMITTEE OF THE HOUSE OF COMMONS. 153

mercolly, wherein we have seen it necessary to require that the Regulations be strictly obeyed for the future.\*

24. We are of opinion that several of the provisions of Regulation XXXI. of 1793, by placing persons employed in the provision of the Company's investment upon a different footing from those employed by private traders, are inconsistent with the system under which the affairs of the Company, in their political and commercial capacity, have been separated by the Legislature: it is therefore necessary to remove the distinction in favour of the Company, which exists under the above-mentioned Regulations. But as the provision of articles of investment in India, both by the Company and private traders, is conducted by advances of cash to the producers, we are disposed to think that a summary mode of obtaining the punctual fulfilment of their engagements may be essential to the interests of all parties concerned in the India trade; we therefore direct that Regulation XXXI. of 1793, and the several provisions in reference to it subsequently passed, may be so altered as to give equally to the Company and to private traders every practicable aid and facility in obtaining the regular supply of their investment, according to their respective engagements with the producers.

25. A particular investigation of the subject of complaint can, however, be effectually conducted in India only, where explanation of the causes of impediments to the trade of private merchants, if any such exist, can be readily obtained by reference to the commercial residents, and if necessary, by inquiries of the judges of the provincial courts, or of other authorities. It is therefore our desire that you will be pleased to take the papers into consideration with your earliest convenience, and report to us your opinion, whether any part of your commercial code contravenes, in any manner whatever, the freedom of trade which is granted to the private British merchants resident in India by the Act of the 53d of his late Majesty, c. 155.

## II.

### TRADE.

Interference  
with Private  
Traders.

Court's  
Instructions to  
India.

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EXTRACT Letter, in the Commercial Department, from the Court of Directors to the Governor-General in Council, Bengal; dated 28th April, 1820.

24. From the proceedings of your Board of Trade, it would appear that a very small number of our commercial residents are now engaged in private commercial speculations, and which we believe have often proved very detrimental to them. By the receipt of adequate fixed salaries the commercial servants will be secured against fluctuation of income, to which, it must be admitted, they were liable, when, from want of funds, or other causes, the Company's investments were interrupted or diminished. This liability on the part of the residents, and a wish to prevent the distress and dispersion of the manufacturers and workmen employed at the Company's factories, were among the reasons for conceding to the commercial servants the privilege of carrying on trade upon their private account. But after they shall be put upon the same scale of allowances as the servants in other departments, it will be proper, even upon that ground only, as adverted to above, that the privilege should not be longer continued. We therefore, so far as regards any residents appointed since the date of your Resolution of the 14th April 1820, revoke it accordingly; and if any such shall have engaged in private trade, they must

\* See also the Court's Letter to Fort St. George (Commercial Department), of 6th November 1822, para. 32.



## II.

## TRADE.

Interference  
with Private  
Traders.

Court's  
Instructions to  
India.

must be called upon to relinquish it, sufficient time being given to enable them to wind up their concern.

25. With respect to commercial residents appointed before the date of the said Resolution, who may at this time be engaged in private trade, the privilege may be continued to them under the established restrictions : but no resident having relinquished his private trade, is to be allowed to resume it ; nor may any resident who has not hitherto engaged in private trade, be allowed hereafter to do so. The officers of the Board of Trade and of the warehouse department, must not be permitted to engage in private commerce.

East-India House,  
16th Aug. 1831.

J. MILL,  
Examiner of India Correspondence.

Appendix, No. 22.

AN ACCOUNT of the Quantity of INDIGO purchased by the East-India Company in BENGAL in each Year, from 1814 to 1829, both inclusive ; with its Cost Price in Rupees, specifying the Rate per Factory Maund ; together with the Charges thereon, including Commission or Brokerage allowed, and Shipping Expenses, and converting the Gross Amount into Sterling Money at the Mercantile Rates of Exchange at which Bills were drawn from Calcutta on London during the Shipping Season—say from October to May in each year respectively ; and adding thereto the proportion of Freight chargeable upon the INDIGO, and the Allowance for Insurance ; also, An ACCOUNT of the SALE PROCEEDS of the INDIGO in LONDON, deducting therefrom the Landing and all other Charges ; with a Statement showing the Net Profit or Loss upon the Annual Investments, and the Rate per Rupee in Sterling Money which the INDIGO in each Year yielded as a Remittance to this Country.

## Appendix,—

II.  
TRADE  
—  
Company's  
Indigo.

AN ACCOUNT of the Quantity of INDIGO purchased by the East-India Company in BENGAL the Rate per Factory Maund; together with the Charges thereon, including Commission Money at the Mercantile Rates of Exchange at which Bills were drawn from Calcutta on adding thereto the proportion of Freight chargeable upon the INDIGO, and the Allowance therefrom the Landing and all other Charges; with a Statement showing the Net Profit or in each Year yielded as a Remittance to this Country.

From 1st May to 1st May in each Year.	Quantity Purchased, shipped in each of the undermen- tioned Years, and which eventually arrived in England.	Rate of Cost Price per Factory Maund.	Amount of such Cost.	Charges thereon, including Commission or Brokerage and Shipping Expenses.	Total Cost and Charges in Bengal.	Allowance for Insurance. ( $\frac{1}{2}$ per Cent being the Rate of the Company's actual Losses by Sea Risk in the whole Period.)	TOTAL COST and when shipped from	
							In Sicca Rupees.	Converted into Sterling at the Mercantile Rate of Exchange at which Bills were drawn from Calcutta on London in favour of a Remitter, during the Shipping Season, from October to May in each Year.
	Maunds.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	s. d.
1814-15 to 1818-19	None purchased.							
1819-20	1,607	157.562	2,53,202	8,946	2,62,148	1,966	2,64,114	2 5.917
1820-21	None purchased.							
1821-22	3,553	234.720	8,33,963	27,534	8,61,497	6,461	8,67,958	1 11.865
1822-23	9,287	312.128	28,98,734	93,143	29,91,877	22,439	30,14,316	1 11.901
1823-24	6,963	277.662	19,34,756	63,311	19,98,067	14,985	20,13,052	1 10.380
1824-25	14,295	282.937	40,44,597	94,809	41,39,406	31,046	41,70,452	1 10.908
1825-26	17,202	230.994	39,73,571	90,556	40,64,127	30,481	40,94,608	2 .258
1826-27	16,145	275.792	44,52,664	98,672	45,51,336	34,135	45,85,471	1 10.908
1827-28	26,566	264.502	70,26,774	1,40,562	71,67,336	53,755	72,21,091	1 10.925
1828-29	11,159	270.173	30,14,862	52,015	30,66,877	23,001	30,89,878	1 10.750
1829-30	29,582	193.212	57,18,573	1,03,751	58,22,324	43,667	58,65,991	1 10.925
	136,359	—	3,41,51,696	7,73,299	3,49,24,995	2,61,936	3,51,86,931	Average of the above transactions, 1 11.1886

—No. 22.

in each Year, from 1814 to 1829, both inclusive; with its Cost Price in Rupees, specifying or Brokerage allowed, and Shipping Expenses, and converting the Gross Amount into Sterling London during the Shipping Season—say from October to May in each Year respectively; and for Insurance; also, An ACCOUNT of the SALE PROCEEDS of the INDIGO in LONDON, deducting Loss upon the Annual Investments, and the Rate per Rupee in Sterling Money which the INDIGO

II.  
TRADE.

Company's  
Indigo.

CHARGES Calcutta.		Charges to be deducted therefrom.			PROFIT or LOSS upon the Investment.		
In Sterling.	Sale Amount in London.	Proportion of Freight and Demorage chargeable upon the Indigo.	Landing and all other Charges in London, calculated at 5 per Cent. on Sale Amount.	Net Sale Proceeds of the Indigo in London.	PROFIT.	LOSS.	Rate per Rupee which the Indigo has yielded as a Remittance, (being the Rate actually realized in the Company's Treasury.)
£.	£.	£.	£.	£.	£.	£.	s. d.
32,922	41,186	2,210	2,059	36,917	3,995	—	2 9 546
86,307	134,894	1,686	6,745	126,463	40,156	—	2 10 968
300,189	338,974	6,764	16,949	315,261	15,072	—	2 1 101
187,718	229,293	5,026	11,465	212,802	25,084	—	2 1 371
398,070	575,771	13,027	28,788	533,956	135,886	—	2 6 728
413,863	554,739	12,641	27,737	514,361	100,498	—	2 6 149
437,683	502,985	11,804	25,149	466,032	28,349	—	2 392
689,764	701,221	21,506	35,061	644,654	—	45,110	1 9 426
292,894	208,354	10,217	10,418	187,719	—	105,175	1 2 581
560,325	466,719	24,228	23,336	419,155	—	141,170	1 5 149
3,399,735	3,754,136	109,109	187,707	3,457,320	349,040	291,455	Average of the above transactions. 1 11 5814
					Net Profit .. £57,585		

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

II.  
TRADE.  
Company's  
Raw Silk.

An Account of the East-India Company's Annual Investment of RAW SILK provided in Bengal, manner to the foregoing Statement, so as the result of the SALES may be ascertained in the

From 1st May to 1st May in each Year.	Quantity Provided, shipped in each of the un- dermentioned Years, and which eventually arrived in England.	Cost of Provision, including Commission and all Charges defrayed up to the arrival of the Silk in Calcutta.	Charges whilst in Warehouse at Calcutta, and Shipping Expenses.	Total Cost and Charges in Bengal.	Allowance for Insurance. — ( $\frac{1}{2}$ per Cent. being the Rate of the Company's actual Losses by Sea Risk in the whole Period.)	TOTAL COST and CHARGES when shipped from Calcutta.		
						In Sicca Rupees.	Converted into Sterling at the Mercantile Rate of Exchange at which Bills were drawn from Calcutta on London, in favour of a Remitter during the Shipping Season, from October to May in each Year.	In Sterling.
	Maunds.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	s. d.	£.
1814-15	6,920	29,00,678	34,496	29,35,174	22,014	29,57,188	2 7.5	388,131
1815-16	5,063	21,12,818	30,287	21,43,105	16,073	21,59,178	2 7	278,894
1816-17	5,010	23,76,018	33,937	24,09,955	18,075	24,28,030	2 7.5	318,679
1817-18	10,053	50,02,813	62,610	50,65,423	37,991	51,03,414	2 6.5	648,559
1818-19	7,349	38,61,252	31,169	38,92,421	29,193	39,21,614	2 7.31	511,607
1819-20	10,816	59,71,291	65,352	60,36,643	45,275	60,81,918	2 5.917	758,137
1820-21	10,950	64,67,969	66,806	65,34,775	49,011	65,83,786	2 2.438	725,259
1821-22	11,323	66,07,171	72,306	66,79,477	50,096	67,29,573	1 11.865	669,172
1822-23	11,312	65,98,914	72,085	66,70,999	50,032	67,21,031	1 11.901	669,331
1823-24	8,745	51,52,711	57,129	52,09,840	39,074	52,48,914	1 10.38	489,462
1824-25	9,282	56,21,254	61,557	56,82,811	42,621	57,25,432	1 10.908	546,492
1825-26	12,010	70,65,882	63,632	71,29,514	53,471	71,82,985	2 2.58	726,020
1826-27	12,284	74,45,863	65,513	75,11,376	56,335	75,67,711	1 10.908	722,338
1827-28	13,803	77,94,550	68,530	78,63,080	58,973	79,22,053	1 10.925	756,721
1828-29	14,970	77,70,724	68,930	78,39,654	58,798	78,98,452	1 10.75	748,707
1829-30	12,786	63,49,186	57,870	64,07,056	48,053	64,55,109	1 10.925	616,597
	162,676	8,90,99,094	9,12,209	9,00,11,303	6,75,085	9,06,86,388	Average of the above transactions, 2 1.3377	9,574,106

—No. 22—continued.

and Imported into London in each Year, from 1814 to 1829, both inclusive; made up in a similar same way as is required in respect to INDIGO.

II.  
TRADE.

Company's  
Raw Silk

Sale Amount in London.	CHARGES to be deducted therefrom.			Net Sale Proceeds of the Raw Silk in London.	PROFIT or LOSS upon the Investment.		Rate per Rupee which the Raw Silk has yielded as a Remittance, (being the Rate actually realized in the Company's Treasury).
	Proportion of Freight and Demorage chargeable upon the Raw Silk.	Custom Duty on Importation into England.	Landing and all other Charges in London, calculated at 5 per Cent. on the Sale Amount.		PROFIT.	LOSS.	
£.	£.	£.	£.	£.	£.	£.	s. d.
465,343	18,670	10,777	23,267	412,629	24,498	—	2 9 488
410,000	11,223	7,875	20,530	370,972	92,078	—	3 5 235
621,383	8,153	7,727	31,069	574,434	255,755	—	4 8 780
971,032	14,945	14,429	48,552	893,106	244,547	—	3 6
635,920	12,086	—	31,796	592,038	80,431	—	3 232
758,156	16,078	—	37,908	704,170	—	53,967	2 3 88
817,397	8,045	—	40,870	768,482	43,223	—	2 4 014
788,241	15,796	—	39,412	733,033	63,861	—	2 2 144
797,999	14,939	—	39,899	743,161	73,830	—	2 2 537
635,175	12,817	—	31,758	590,600	101,138	—	2 3 004
507,891	11,113	—	25,395	471,383	—	75,109	1 7 759
745,715	14,514	—	37,286	693,915	—	32,105	1 11 185
822,701	14,105	—	41,135	767,461	45,123	—	2 339
768,723	14,400	—	38,436	716,087	—	40,634	1 9 694
782,641	16,967	—	39,132	726,542	—	22,165	1 10 076
*669,853	16,611	—	33,493	619,749	3,152	—	1 11 042
11,198,770	220,262	40,808	559,938	10,377,762	1,027,636	223,980	Average of the above transactions,
					Net Profit ..	£803,656	2 3 4646

\* A small portion of the Consignment of this year remaining unsold, is included at an estimated sale value.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

# 160 FIRST APPENDIX TO THE THIRD REPORT OF THE

II.  
TRADE.  
Raw Silk.

## Appendix, No. 23.

AN ACCOUNT of the Quantity of all RAW SILK supplied by the Agents in Bengal, and sold in India and in England; stating the Sale Value thereof in each Year, from the Year 1809-10 inclusive, to the latest Period to which the same can be made up.

BENGAL SILK, Both Raw and Organzine, prepared from the Raw Silk.					
		SOLD IN INDIA.		SOLD IN ENGLAND.	
		lbs.	Sicca Rupees.	lbs.	£.
1809-10	.. ..	29,120	1,37,020	243,364	366,821
1810-11	.. ..	—	—	176,673	266,568
1811-12	.. ..	15,008	57,676	377,456	535,378
1812-13	.. ..	15,008	51,165	633,027	846,472
1813-14	.. ..	15,306	43,428	819,024	947,954
1814-15	.. ..	36,214	1,04,942	624,237	736,855
1815-16	.. ..	9,184	26,803	249,998	253,064
1816-17	.. ..	14,336	57,066	616,202	567,587
1817-18	.. ..	11,274	50,050	501,303	776,338
1818-19	.. ..	3,510	12,861	692,612	899,217
1819-20	.. ..	1,492	8,970	582,460	690,876
1820-21	.. ..	11,498	50,383	706,373	668,535
1821-22	.. ..	2,194	11,235	664,197	645,070
1822-23	.. ..	7,690	37,426	844,460	846,446
1823-24	.. ..	5,898	37,337	517,187	437,272
1824-25	.. ..	6,870	31,814	725,933	759,943
1825-26	.. ..	50,474	2,62,461	647,200	558,051
1826-27	.. ..	—	—	958,617	737,723
1827-28	.. ..	18,816	97,349	1,047,871	906,630
1828-29	.. ..	10,752	59,331	1,012,022	849,972
1829-30	.. ..	{ Statements not yet received from India. }		795,359	527,699
1830-31	.. ..			1,079,728	778,832
		264,644	11,37,320	14,515,303	14,603,303

*Mem.*—The Accounts received from India are not arranged in such manner as to allow of a return of the sale value of the actual quantity of Silk supplied in each year by the agents in Bengal. The above Account is the quantity and sale value in India, and in England, of all Silk sold in each year, without reference to the year of its provision.

East-India House,  
3d October 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

## Appendix, No. 24.

II.  
TRADE.  
Company's  
Raw Silk.

AN ACCOUNT, showing in Detail all the Items, and the Amount of each, forming the INVOICE PRICE of the Company's Investment of Bengal RAW SILK, for each of the Years 1813-14 and 1829-30.

	Bales.	Invoiced Weight.	Factory Cost.	Commission.	Charges at per Factory Invoice.	Duties on Invest-ment.	Suspense Charges for Factory Establishment.
		lbs.	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.
From 1st May 1813 } to 30th April 1814 }	4,849	718,224	40,96,153	2,29,755	44,943	—	—
From 1st May 1829 } to 30th April 1830 }	6,542	954,808	56,15,054	2,81,315	59,102	81,312	1,12,194

(continued ..

..continued.)	Commercial Charges General.	Outstanding Balances deemed irrecoverable.	Wear and Tear of Buildings.	Charges of Merchandize.	Proportion of Export Warehouse Charges.	TOTAL.
	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.
From 1st May 1813 } to 30th April 1814 }	—	—	—	4,762	—	43,75,613
From 1st May 1829 } to 30th April 1830 }	1,68,459	10,657	21,093	8,204	49,666	64,07,056

Bengal and Coast Warehouse,  
3d October 1831.

J. C. JOHNSON.



II.  
TRADE.  
Company's  
Raw Silk.

## Appendix No. 25.

A STATEMENT of the Number and Valuation of SILK FILATURES OF FACTORIES of the EAST-INDIA COMPANY in Bengal at the last Valuation; distinguishing the Name of each Filature and Subordinate Factory; together with the Name and Value of the same.

FACTORIES.	Number of Filatures.	NAMES of SUBORDINATE FACTORIES.	FACTORIES.	Number of Filatures.	NAMES of SUBORDINATE FACTORIES.
Bauleah ..	10	Head Factory.	Malda ..	3	Head Factory.
	4	Burgotchee Aurung.		3	Tannore.
	3	Soorsoo Aurung.		6	
	4	Dhoreesaw Aurung.			
	3	Bhowannyungee Aurung.			
	5	Hojah Aurung.			
	2	Berrampore.			
	2	Madhoymooree Aurung	Radnagore ..	5	Guttal.
	1	Beraldah Aurung.		12	Gopeunge and Canacool.
	3	Catlamary Aurung.		17	
	37				
Commercolly.	5	Head Factory.	Rungpore ..	3	Head Factory Nobabgunge.
	2	Galimpore.		1	Gomaneeunge Aurung.
	3	Munstipore.		4	
	2	Meerpore.			
	12		Santipore	2	Head Factory.
				1	Renhatty.
Cosimbuzar.	1			3	

Hurripaul ..	1	Durhautta Sudder Filature.	5	Rangamattee.
	1	Dhuniacolly.		
	1	Phoolshur.	6	Head Factory.
	1	Amptah.	1	Pikeparrah.
	1	Cuttoral.	1	Dakraw.
			1	Sandikhawn.
	5			
Jungypore ..	6	Head Factory.	9	
	4	Burrageura Aurung.		
	10			
			Total Factories } 11	109 Filatures.

No Returns of the Valuation of the Buildings at the several Silk Factories have been transmitted from India: but, from a Statement recently received, it appears that the following is an account of the Cost (as far as could be ascertained), and of all Monies expended in the purchase and construction of Filatures and other Buildings for the provision of Silk, from the Year 1809 to the Year 1829, at each of the Factories, viz.

	Sa. Rs.
Bauleah ..	2,32,749
Commercolly ..	3,88,306
Cossimbuzar ..	36,414
Hurripaul ..	1,38,728
Jungypore ..	2,43,028
Malda ..	1,79,498
Radnagore ..	2,93,578
Rungpore ..	45,962
Santipore ..	92,305
Soonamooky ..	67,068
Surdah ..	2,39,852
Sicca Rupees	19,57,488

A considerable proportion of the Company's Investment in Bengal Raw Silk, is made at hired Filatures.

East-India House,  
3d October 1831.

(Errors excepted)

THOS. G. LLOYD.  
Acct. Gen.

II.  
TRADE.  
Company's  
Raw Silk.

164 FIRST APPENDIX TO THE THIRD REPORT OF THE

Appendix, No. 26.

II.  
TRADE.  
Company's  
Teas.

AN ACCOUNT of the AVERAGE SALE PRICE of TEA of each Description, of the East-India Company's Teas Sold in each Year from 1823.—(In continuation of Account marked I.—TEA, No. 9.)

From 1st March to 1st March in each Year.	Bohea.		Congo.		Campoi.		Souchong.		Pekoe.		Singlo.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
1824 ..	2	4 <sup>5</sup> / <sub>10</sub>	2	7 <sup>9</sup> / <sub>10</sub>	3	3 <sup>5</sup> / <sub>10</sub>	3	9 <sup>6</sup> / <sub>10</sub>	4	11 <sup>3</sup> / <sub>10</sub>	—	—
1825 ..	2	3 <sup>8</sup> / <sub>10</sub>	2	7 <sup>7</sup> / <sub>10</sub>	3	2 <sup>4</sup> / <sub>10</sub>	3	8 <sup>8</sup> / <sub>10</sub>	—	—	—	—
1826 ..	1	6 <sup>2</sup> / <sub>10</sub>	2	4 <sup>6</sup> / <sub>10</sub>	3	2 <sup>4</sup> / <sub>10</sub>	3	7 <sup>3</sup> / <sub>10</sub>	3	11 <sup>0</sup> / <sub>10</sub>	—	—
1827 ..	1	7 <sup>7</sup> / <sub>10</sub>	2	4 <sup>3</sup> / <sub>10</sub>	2	8 <sup>6</sup> / <sub>10</sub>	3	2 <sup>2</sup> / <sub>10</sub>	4	1	—	—
1828 ..	1	6 <sup>5</sup> / <sub>10</sub>	2	4	2	10	3	1 <sup>8</sup> / <sub>10</sub>	4	1 <sup>7</sup> / <sub>10</sub>	—	—
1829 ..	1	6 <sup>4</sup> / <sub>10</sub>	2	3 <sup>5</sup> / <sub>10</sub>	2	4 <sup>2</sup> / <sub>10</sub>	3	8 <sup>3</sup> / <sub>10</sub>	—	—	—	—
1830 ..	1	9 <sup>2</sup> / <sub>10</sub>	2	3 <sup>3</sup> / <sub>10</sub>	2	2 <sup>1</sup> / <sub>10</sub>	3	11 <sup>6</sup> / <sub>10</sub>	—	—	—	—

  

	Twankay.		Hyson Skin.		Superior Hyson Skin.		Hyson.		Young Hyson.		Gunpowder.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
1824 ..	3	5 <sup>4</sup> / <sub>10</sub>	3	5 <sup>2</sup> / <sub>10</sub>	—	—	4	2 <sup>6</sup> / <sub>10</sub>	4	3 <sup>7</sup> / <sub>10</sub>	—	—
1825 ..	3	5 <sup>6</sup> / <sub>10</sub>	3	6 <sup>6</sup> / <sub>10</sub>	—	—	4	4 <sup>3</sup> / <sub>10</sub>	—	—	—	—
1826 ..	3	2 <sup>7</sup> / <sub>10</sub>	3	3 <sup>1</sup> / <sub>10</sub>	—	—	4	7	4	0 <sup>6</sup> / <sub>10</sub>	—	—
1827 ..	2	8 <sup>9</sup> / <sub>10</sub>	3	1	—	—	4	8 <sup>1</sup> / <sub>10</sub>	4	2 <sup>4</sup> / <sub>10</sub>	—	—
1828 ..	2	5 <sup>9</sup> / <sub>10</sub>	2	5 <sup>9</sup> / <sub>10</sub>	—	—	4	3 <sup>6</sup> / <sub>10</sub>	—	—	—	—
1829 ..	2	4 <sup>1</sup> / <sub>10</sub>	2	4 <sup>8</sup> / <sub>10</sub>	—	—	4	1 <sup>8</sup> / <sub>10</sub>	—	—	—	—
1830 ..	2	4 <sup>1</sup> / <sub>10</sub>	2	7 <sup>3</sup> / <sub>10</sub>	—	—	4	2	—	—	—	—

East-India House,  
28th Sept. 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

Appendix, No. 27.

RETURN of the VALUE of the FOREIGN EXPORT AND IMPORT TRADE of the Port of Canton, in each Year since 1813, distinguishing the Trade carried on by each of the different Nations from that under the British Flag; distinguishing also the Trade carried on by the East-India Company, from that carried on by Private India Ships; Also, the Tonnage employed by each Nation, in each Year for the same period, as far as the same can be ascertained.

	AMERICAN TRADE.				NETHERLANDS TRADE.			
	Tonnage.	Value Imports.	Value Exports.	TOTAL VALUE.	Tonnage.	Value Imports.	Value Exports.	TOTAL VALUE.
	Tons.	Dollars.	Dollars.	Dollars.	Tons.	Dollars.	Dollars.	Dollars.
1813-14	} 2,854	451,500	572,000	1,023,500	—	—	—	—
1814-15					—	—	—	—
1815-16	10,208	2,527,500	4,220,000	6,747,500	{ Two ships—neither Tonnage nor Value stated.			
1816-17	13,096	5,609,600	5,703,000	11,312,600	—	—	—	—
1817-18	14,325	7,076,828	6,777,000	13,853,828	—	—	—	—
1818-19	16,022	10,017,151	9,041,755	19,058,906	—	—	—	—
1819-20	13,641	8,158,961	8,182,016	16,340,977	—	—	—	—
1820-21	8,663	4,035,000	4,088,000	8,123,000	—	—	—	—
1821-22	14,702	8,199,741	7,058,741	15,258,482	—	—	—	—
1822-23	11,297	8,339,398	7,523,492	15,862,890	—	—	—	—
1823-24	13,635	6,313,126	5,677,149	11,990,275	—	—	—	—
1824-25	14,452	8,962,045	8,501,121	17,463,166	{ Articles stated, but neither Tonnage nor Value.			
1825-26	16,431	7,756,031	8,752,562	16,508,593	ditto .. ditto.			
1826-27	7,034	3,843,717	4,363,788	8,207,505	{ Tons 2,984, Articles stated, but not Value.			
1827-28	8,597	6,238,788	6,559,925	12,798,713	{ Articles stated, but neither Tonnage nor Value.			
1828-29	8,613	3,373,565	4,552,200	7,925,765	ditto .. ditto.			
1829-30	Not stated.	3,917,632	4,108,611	8,026,243	—	—	—	—
1830-31	—	—	—	—	Not stated.	350,406	392,287	742,693

(continued on next page.)

166 FIRST APPENDIX TO THE THIRD REPORT OF THE

II.  
TRADE.  
Canton  
Exports and  
Imports.

Appendix, No. 27—continued.

The preceding Account—continued.

YEARS.	SPANISH TRADE.	BRITISH TRADE.			
		TRADE OF THE EAST-INDIA COMPANY.			
	Total stated.	Tonnage.	Value Imports.	Value Exports.	TOTAL VALUE.
	Dollars.	Tons.	Dollars.	Dollars.	Dollars.
1813-14 ..	—	21,470	5,646,000	7,904,700	13,550,700
1814-15 ..	—	23,338	5,039,070	8,199,908	13,238,978
1815-16 ..	—	28,658	10,045,429	9,297,358	19,342,787
1816-17 ..	1,500,000	26,874	4,465,012	8,835,592	13,300,604
1817-18 ..	1,500,000	18,251	6,177,404	5,877,270	12,054,674
1818-19 ..	1,500,000	19,770	4,262,421	5,862,295	10,124,716
1819-20 ..	1,500,000	26,296	6,332,808	7,947,454	14,280,262
1820-21 ..	1,500,000	27,068	6,242,329	8,503,079	14,745,408
1821-22 ..	1,500,000	23,665	5,771,200	7,854,142	13,625,342
1822-23 ..	700,000	24,791	3,678,938	8,121,683	11,800,621
1823-24 ..	700,000	26,979	6,072,600	8,662,704	14,735,304
1824-25 ..	700,000	26,169	4,227,708	7,966,671	12,194,379
1825-26 ..	600,000	26,264	5,018,925	7,391,975	12,410,900
1826-27 ..	670,000	37,256	4,695,100	10,052,012	14,747,112
1827-28 ..	500,000	30,718	4,522,950	8,863,066	13,386,016
1828-29 ..	500,000	27,676	4,316,250	7,980,171	12,296,421
1829-30 ..	500,000	28,363	3,754,671	7,910,804	11,665,475
1830-31 ..	—	27,502	4,007,046	7,994,842	12,001,888

*Note.*—There are no further particulars given of the Spanish Trade than what are stated above. The Statements made up in China of the Trade of Individuals, commence with the Year 1817-18; the preceding four years are made up from the Indian Statements of External Commerce.

The Amount of the Trade of Individuals with China, above stated, includes the Trade carried on by the Commanders and Officers of the Company's ships.

The Tonnage employed in the Trade of Individuals with China, is taken from the Indian Statements of External Commerce, which at present have not been received later than the Year 1828-29.

The Diaries of the East-India Company's Factory at Canton, contain the following particulars respecting the Foreign European Trade with China, in addition to what is stated above:—

In 1815-16. Two Swedish ships are stated to have been in China, the Articles of Import and Export are given, but neither the Tonnage nor Value.

In

East-India House,  
5th August 1831.

Appendix, No. 27—continued.

The preceding Account—continued.

II.  
TRADE.

Canton  
Exports and  
Imports.

BRITISH TRADE.

TRADE BY PRIVATE INDIA SHIPS.				TOTAL TONNAGE.	TOTAL VALUE.
Tonnage.	Value Imports.	Value Exports.	Total Value.		
Tons.	Dollars.	Dollars.	Dollars.	Tons	Dollars.
10,668	6,035,128	3,861,916	9,897,044	32,138	23,447,744
14,659	7,302,745	4,954,112	12,256,857	37,997	25,495,835
11,906	6,991,681	4,337,016	11,328,697	40,564	30,671,484
20,172	7,682,500	6,765,269	14,447,769	47,046	27,748,373
27,008	11,081,600	5,562,100	16,643,700	45,259	28,698,374
21,511	11,999,272	6,314,874	18,314,146	41,281	28,938,862
13,873	9,459,932	6,134,692	15,594,624	40,169	29,874,886
14,987	10,127,718	5,576,494	15,704,212	42,055	30,449,620
21,872	9,170,294	6,170,033	15,340,327	45,537	28,965,669
18,011	13,268,249	4,397,701	17,665,950	42,802	29,466,571
13,439	11,073,010	6,633,599	17,706,609	40,418	32,441,913
20,074	11,024,559	5,799,009	16,823,568	46,243	29,017,947
21,748	15,700,878	9,605,089	25,305,967	48,012	37,716,867
26,424	15,709,232	8,326,252	24,035,484	63,680	38,782,596
28,249	15,845,643	9,656,767	25,502,410	58,967	38,888,426
28,282	16,373,228	10,957,814	27,331,042	55,958	39,627,463
—	18,447,147	12,921,153	31,368,300	—	43,033,775

In 1826-27. One Danish and two French ships are stated to have been in China, but no particulars whatever are given respecting these ships.

In 1828-29.—One Prussian, one Danish, three French, 23 Spanish and 18 Portuguese ships. } .. ditto.

In 1829-30.—Four French, 11 Dutch, seven Danish, one Prussian, 31 Spanish and 22 Portuguese ships. } .. ditto      The value of the Spanish Trade is stated above.

In 1830-31.—One Danish, one Sardinian, 26 Spanish and 15 Portuguese ships. } .. ditto.

And also five French Ships, the tonnage of which is stated at tons 2,014, and one of which exported a cargo to the value of 20,000 dollars, but no further particulars are given.

(Errors excepted)

JOSEPH THOMPSON.

II.  
TRADE  
Value of  
Company's  
Trade.

## Appendix, No. 28.

AN ACCOUNT OF THE VALUE OF THE TRADE OF THE EAST-INDIA COMPANY; shewing the Prime Cost of the various Articles purchased; the whole of the Commercial Charges in England, the East-Indies, China, &c., together with the Freight and Demorage; and the Total Value of the Proceeds of such Trade, for the Year 1827-28.

PRIME COST of the various Articles Purchased (including Commercial Charges in India and China), Sold in the Year 1827-28. (1st May to 1st May.)				SALE AMOUNT.	
IMPORTS FROM BENGAL:				Quantities.	Sicca Rupees.
Piece Goods	..	..	..	108,680	7,36,286
Ditto	..	..	..	1,349	3,747
Raw Silk	..	..	..	1,047,871	84,79,791
Saltpetre	..	..	..	51,378	4,66,929
Pepper	..	..	..	350,879	48,883
Indigo	..	..	..	1,131,246	45,02,967
Sugar	..	..	..	90,946	10,59,488
Ditto	..	..	..	91	1,023
Cotton Wool	..	..	..	1,590,022	3,59,549
					1,56,58,663
					41,640
					1,56,17,023

Deduct. More charged in Invoices in respect of Commercial Charges incurred in Bengal than were actually defrayed after allowing for loss by Bad Debts written off, &c. .. .. .

Net Amount of Cost .. .. . Sa.Rs.

IMPORTS FROM MADRAS

Piece Goods	Quantities.	Madras Rupees.
.. (sold in England)	146,587 pieces	11,42,592
Indigo .. (— ditto)	24,993 lbs.	59,256
Cotton .. (— ditto)	33,816 —	8,196

94,711

6,281

701

12,10,044

15,601

Deduct, More charged in Invoices in respect of Commercial Charges incurred at Madras than defrayed, as above .. ..

Net Amount of Cost .. Ms. Rs.

11,94,443

2

IMPORTS FROM BOMBAY

Surat Piece Goods	Quantities.	Bombay Rupees.
.. (sold in England)	24,703 pieces	1,25,938
Coffee (Mocha) .. (— ditto)	1,549 cwts.	76,935

7,881

7,122

2,02,263

35,387

Deduct, More, charged in Invoices in respect of Commercial Charges incurred at Bombay than defrayed, as above .. ..

Net Amount of Cost .. By. Rs.

1,66,876

(continued on next page.)

II.  
TRADE.  
Value of  
Company's  
Trade.



II.  
TRADE.  
Value of  
Company's  
Trade.

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FIRST APPENDIX TO THE THIRD REPORT OF THE

Appendix, No. 28—continued.  
The preceding Account—continued.

PRIME COST of the various Articles Purchased (including Commercial Charges in India and China), Sold in the Year 1827-28 (1st May to 1st May).					SALE AMOUNT.	
					£.	£.
IMPORTS FROM CHINA:					Tales.	
Teas	..	..	..	lbs.	27,795,418	5,242,536
Ditto	..	..	..	(sold in England)	945,406	204,351
Ditto	..	..	..	(— at Canada)	90,538	18,856
Other Articles from China, Nankeens, &c.	..	..	..	(— at the Cape)	—	1,104
	..	..	..	(ditto)	—	—
Add, Charges incurred in China above what are added to Invoices					5,466,947	867
Total Amount of Cost					5,467,814	
IMPORTS FROM THE CAPE OF GOOD HOPE:					£.	
Wine	..	..	..	pipes	312	4,845
Charges Merchandize in England, including Supracargoes, Commission attaching to the above Trade					£.	
Ditto	..	..	..	North America, including Duties on Teas payable by the Importer	303,803	15,533
Ditto	..	..	..	Cape of Good Hope .. ditto .. on all Goods .. ditto	4,303	—
Freight and Demorage paid in England, attaching to the above Trade					323,539	860
Losses at Sea, Salvages, &c. &c.					652,135	—
Net Proceeds on Sale					976,534	—
TOTAL VALUE of the Gross Proceeds					4,249,922	5,226,456

No Charge is included for Interest on the Capital employed in carrying on the above Trade, nor is there any Allowance for Insurance, the actual Losses at Sea being charged.

THE Proceeds of the Company's Consignments Outward and from Port to Port being invested in the Purchase of Return Cargoes, are in effect included in the above view of the Company's Trade. But if it be desired to ascertain the aggregate Amount of all the Commercial Transactions in which the Company have been engaged both Outward and Homeward, there should be added to the foregoing Amount of £5,226,456 the undermentioned, viz.

	£.	
Proceeds of Exports from England sold in India	.. ..	calculated at
Ditto .. ditto .. China	.. ..	the fixed Rates
Ditto .. from India to China	.. ..	of Exchange.
	49,114	
	622,454	
	449,118	
	1,120,686	
Making the TOTAL of the Gross PROCEEDS of the Transactions both Outward and Homeward,	.. £	6,347,142

N 2

(a) The Commercial Charges in India and China are added to the Invoices, from which the Prime Cost above stated is calculated, and are included as a part of such Cost.

East-India House,  
28th September 1831.

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.

II.  
TRADE.  
Value of  
Company's  
Trade.



### **III.**

**OFFICERS, ESTABLISHMENTS,**

**&c.**



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III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Appendix, No. 29.

Writers'  
Appointments.

AN ACCOUNT of the Number of WRITERS sent out to India and China, in each of the last Five Years; specifying the Presidency or Place to which they were respectively sent.

YEAR of APPOINTMENT.	BENGAL.	MADRAS.	BOMBAY.	PRINCE OF WALES' ISLAND.	CHINA.	TOTAL.
1826 .. ..	42	10	7	3	none	62
1827 .. ..	39	11	12	1	1	64
1828 .. ..	50	10	14	2	1	77
1829 .. ..	41	13	7	none	2	63
1830 .. ..	28	20	12	none	1	61
						327

Appendix, No. 30.

AN ACCOUNT, stating the Number of WRITERS sent out to India, in each of the last Five Years, whose APPOINTMENTS were made on the Nomination of the BOARD of CONTROL.

YEAR of APPOINTMENT.	BENGAL.	MADRAS.	BOMBAY.	PRINCE OF WALES' ISLAND.	CHINA.	TOTAL.
1826 .. ..	4	—	—	none	none	4
1827 .. ..	4	—	2	—	—	6
1828 .. ..	2	—	—	—	—	2
1829 .. ..	—	2	1	—	—	3
1830 .. ..	5	1	1	—	—	7
						22

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 175

## Appendix, No. 31.

ACCOUNT of the Number of CADETS, and ASSISTANT SURGEONS, sent out to India, in each of the last Five Years ; distinguishing each Class, and specifying the Presidency to which they were respectively sent.

III.  
OFFICERS,  
ESTABLISHMENTS.  
&c.

Cadets  
and Assistant  
Surgeons.

### CADETS.

		Engineers.	Artillery.	Cavalry.	Infantry.	TOTAL.	
Season 1826-27 ..	Bengal ..	4	6	27	151	188	
	Madras ..	6	15	14	149	184	
	Bombay ..	4	4	4	54	6	438
Season 1827-28 ..	Bengal ..	3	11	16	102	132	
	Madras ..	6	8	10	109	133	
	Bombay ..	3	14	11	72	100	365
Season 1828-29 ..	Bengal ..	12	19	7	148	186	
	Madras ..	4	12	9	62	87	
	Bombay ..	2	11	—	58	71	344
Season 1829-30 ..	Bengal ..	10	16	7	79	112	
	Madras ..	5	8	12	27	52	
	Bombay ..	3	7	1	25	36	200
Season 1830-21 ..	Bengal ..	6	12	3	24	45	
	Madras ..	1	14	7	12	34	
	Bombay ..	6	6	1	3	16	95
TOTAL .. ..						1,442	

### ASSISTANT SURGEONS.

Season 1826-27 ..	Bengal ..	..	..	..	46	
	Madras ..	..	..	..	12	
	Bombay ..	..	..	..	14	72
Season 1827-28 ..	Bengal ..	..	..	..	22	
	Madras ..	..	..	..	18	
	Bombay ..	..	..	..	27	57
Season 1828-29 ..	Bengal ..	..	..	..	27	
	Madras ..	..	..	..	18	
	Bombay ..	..	..	..	14	59
Season 1829-30 ..	Bengal ..	..	..	..	27	
	Madras ..	..	..	..	26	
	Bombay ..	..	..	..	10	63
Season 1830-31 ..	Bengal ..	..	..	..	23	
	Madras ..	..	..	..	17	
	Bombay ..	..	..	..	3	43
TOTAL .. ..						294

# 176 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

## Appendix, No. 31—continued.

ACCOUNT stating how many of the before-mentioned APPOINTMENTS respectively were made on the Nomination of the BOARD of CONTROL.

Cadets  
and Assistant  
Surgeons.

### C A D E T S.

			Engineers.	Artillery.	Cavalry.	Infantry.	TOTAL.	
Season 1826-27 ..	Bengal ..	1	2	2	7	12	28	
	Madras ..	—	—	2	7	9		
	Bombay ..	—	2	—	5	7		
Season 1827-28 ..	Bengal ..	—	1	1	12	14	24	
	Madras ..	—	2	1	2	5		
	Bombay ..	1	—	—	4	5		
Season 1828-29 ..	Bengal ..	—	2	1	2	5	8	
	Madras ..	—	—	—	2	2		
	Bombay ..	—	—	—	1	1		
Season 1829-30 ..	Bengal ..	—	1	1	1	3	3	
	Madras ..	—	—	—	—	—		
	Bombay ..	—	—	—	—	—		
*** The whole of the Board's Nominations of this Season not yet sent out to India.								
Season 1830-31 ..	Bengal ..	}	—	—	—	—	—	—
	Madras ..							
	Bombay ..							
*** Board's Nominations of this Season not yet sent out to India.								
TOTAL .. ..							63	

### ASSISTANT SURGEONS.

Season 1826-27	Bengal ..	..	..	..	1	4
	Madras ..	..	..	..	1	
	Bombay ..	..	..	..	2	
Season 1827-28	Bengal ..	..	..	..	2	4
	Madras ..	..	..	..	1	
	Bombay ..	..	..	..	1	
Season 1828-29	Bengal ..	..	..	..	2	2
	Madras ..	..	..	..	—	
	Bombay ..	..	..	..	—	
Season 1829-30	Bengal ..	..	..	..	2	4
	Madras ..	..	..	..	1	
	Bombay ..	..	..	..	1	
Season 1830-31	Bengal ..	..	..	..	1	2
	Madras ..	..	..	..	1	
	Bombay ..	..	..	..	—	
TOTAL ..						16

Cadet Office, East-India House,  
5th August 1831.

WM. ABINGTON.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 177

Appendix, No. 32.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Rates of  
Fees on proceeding  
to India.

STATEMENT of the RATES of FEES received at the East-India House from Civil and Military Officers, according to their respective Rank, in Classes; also, from Free Traders, Mariners, Servants, and others, proceeding to the East-Indies.

	£.	s.	d.
Governor-General of India ... ..	225	0	0
Ditto - - - of Madras ... ..	170	0	0
Ditto - - - of Bombay ... ..	170	0	0
Ditto - - - of St. Helena ... ..	70	0	0
Member of the Supreme Council ... ..	95	0	0
Member of Council at Madras ... ..	82	0	0
Ditto - - - at Bombay ... ..	80	0	0
Ditto - - - at St. Helena ... ..	10	0	0
Senior Merchant, three Presidencies ... ..	25	0	0
Junior Merchant - - ditto ... ..	15	0	0
Factor - - - - ditto ... ..	10	0	0
Writer - - - - ditto ... ..	10	0	0
Writer returning - - ditto ... ..	5	0	0
Chaplain proceeding to ditto ... ..	6	0	0
Ditto returning ... ..	5	0	0
Ditto proceeding to St. Helena ... ..	3	0	0
Assay Master, Company's Mint ... ..	20	0	0
Assistant ditto - ditto ... ..	10	0	0

*Mem.*—Civil Servants returning to St. Helena are charged half the Amount of Fees paid by those attached to the three Presidencies.

Commander-in-Chief in India ... ..	200	0	0
Ditto - - - - at Madras ... ..	138	0	0
Ditto - - - - at Bombay ... ..	135	0	0



III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Appendix, No. 32.—*continued.*The preceding Account.—*continued.*

Rates of  
Fees on proceeding  
to India.

										£.	s.	d.
General Officers, nominated to the Staff, Company's Service	...	...								50	0	0
Colonels of Regiments full off-reckoning	...	...	...	...	...	...	...	...	...	20	0	0
Ditto - - ditto - half - ditto	...	...	...	...	...	...	...	...	...	15	0	0
Lieutenant-Colonels (Regimentally)	...	...	...	...	...	...	...	...	...	8	0	0
Majors - - - - ditto	...	...	...	...	...	...	...	...	...	6	0	0
Captains - - - - ditto	...	...	...	...	...	...	...	...	...	5	0	0
Surgeon returning	...	...	...	...	...	...	...	...	...	5	0	0
Assistant-Surgeon, on appointment	...	...	...	...	...	...	...	...	...	5	0	0
Ditto - - - - returning	...	...	...	...	...	...	...	...	...	2	0	0
Apothecary - - - ditto	...	...	...	...	...	...	...	...	...	2	0	0
Assistant ditto - - ditto	...	...	...	...	...	...	...	...	...	1	0	0
Lieutenants (Regimentally)	...	...	...	...	...	...	...	...	...	2	0	0
Ensign	...	...	...	...	...	...	...	...	...	1	0	0
Cornet	...	...	...	...	...	...	...	...	...	2	0	0
Cadet	...	...	...	...	...	...	...	...	...	2	0	0
<hr/>												
Superintendent of Indian Navy	...	...	...	...	...	...	...	...	...	60	0	0
Volunteer for Bengal Pilot service or Indian Navy	...	...	...	...	...	...	...	...	...	0	5	0
Master Attendant to any part of India	...	...	...	...	...	...	...	...	...	25	0	0
Deputy - ditto - - - ditto	...	...	...	...	...	...	...	...	...	10	0	0
Assistant to Deputy ditto, ditto	...	...	...	...	...	...	...	...	...	5	0	0
To succeed to the office of Master Attendant when the same shall become vacant	...	...	...	...	...	...	...	...	...	20	0	0
Marine Surveyor of India	...	...	...	...	...	...	...	...	...	10	0	0
Marine Paymaster and Storekeeper of Bengal	...	...	...	...	...	...	...	...	...	20	0	0
To succeed to ditto - - - ditto	...	...	...	...	...	...	...	...	...	10	0	0
Marine Storekeeper, Bombay	...	...	...	...	...	...	...	...	...	10	0	0
First Assistant to Master Attendant (any part of India)	...	...	...	...	...	...	...	...	...	10	0	0
Second Assistant to - ditto	...	...	...	...	...	...	...	...	...	10	0	0

*(continued on next page.)*

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 179

## Appendix, No. 32.—*continued.*

The preceding Account.—*continued.*

### III. OFFICERS, ESTABLISHMENTS, &c.

									Rates of Fees on proceeding to India.		
									£.	s.	d.
Free Merchant	...	...	...	...	...	...	...	...	20	0	0
Free Mariner	...	...	...	...	...	...	...	...	2	10	0
Agent for Loading and Unloading Company's Ships in Bengal	...	...	...	...	...	...	...	...	10	0	0
To succeed to the office of Agent for Loading and Unloading Company's Ships in Bengal when vacant	...	...	...	...	...	...	...	...	5	0	0
<hr/>											
Advocate-General, Bengal	...	...	...	...	...	...	...	...	95	0	0
Ditto - - Madras	...	...	...	...	...	...	...	...	92	0	0
Ditto - - Bombay	...	...	...	...	...	...	...	...	90	0	0
Solicitor to the Company for any part of India	...	...	...	...	...	...	...	...	60	0	0
Barristers	...	...	...	...	...	...	...	...	40	0	0
Attornies	...	...	...	...	...	...	...	...	20	0	0
Police Magistrate at Prince of Wales' Island	...	...	...	...	...	...	...	...	10	0	0
To succeed to the office of Police Magistrate when the same shall become vacant	...	...	...	...	...	...	...	...	5	0	0
<hr/>											
Persons permitted to reside in India under covenants	...	...	...	...	...	...	...	...	5	0	0
Passenger not under covenant	...	...	...	...	...	...	...	...	2	0	0
Black Servant, order for being received on board ship	...	...	...	...	...	...	...	...	1	0	0
Lascars or Chinese - ditto - ditto - - (each)	...	...	...	...	...	...	...	...	0	1	0

East-India House,  
11 August 1831.

P. AUBER,  
Secretary.

# 180 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Appendix,—

Bengal  
Commercial  
Salaries and  
Allowances.

A RETURN of all COMMERCIAL OFFICES under the Presidency of Bengal, with the Offices, as they stood on the 1st May 1817 and on the 1st May 1827; and further Allowances have been augmented, since the 1st May 1817, the date of such Creation respectively.

	1816-17.		
	SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.
<b>OFFICES AT THE PRESIDENCY:</b>			
<b>Board of Trade:</b>			
Senior Member .. .. .	27,500 0 0	—	27,500 0 0
Junior ditto .. .. .	22,500 0 0	—	22,500 0 0
<b>Secretary's Office:</b>			
Secretary .. .. .	30,000 0 0	—	30,000 0 0
Sub-Secretary .. .. .	9,600 0 0	—	9,600 0 0
Assistant .. .. .	4,800 0 0	—	4,800 0 0
Registrar .. .. .	3,600 0 0	—	3,600 0 0
Deputy ditto .. .. .	2,400 0 0	1,200 0 0	3,600 0 0
<b>Accountant's and Auditor's Offices:</b>			
Accountant and Auditor .. .. .	7,200 0 0	—	7,200 0 0
First Assistant .. .. .	4,800 0 0	1,200 0 0	6,000 0 0
Second Assistant .. .. .	1,800 0 0	—	1,800 0 0
Junior ditto .. .. .	1,800 0 0	—	1,800 0 0
<b>Export Warehouse:</b>			
Sub-Export Warehousekeeper .. .. .	18,000 0 0	6,850 8 0	24,830 8 0
Assistant .. .. .	9,600 0 0	—	9,600 0 0

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 181

—No. 33.

SALARY and AMOUNT and Nature of any other ALLOWANCES annexed to each of such stating, in regard to Offices which have been created, or of which the Salaries or and of such Augmentation or Augmentations, and the Reasons assigned for each

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Salaries and  
Allowances.

1826-27.			INCREASE.		REASONS for each INCREASE.
SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.	AMOUNT.	Date of Creation of Office, or of respective Augmentations of Salary, &c.	
55,000 0 0	—	55,000 0 0	27,500	—	{ In 1816-17 the ex- penses of the Board of Trade were charged, partly to the Territo- rial Branch and partly to Commerce. In 1819 the Board of Trade was separated from the Board of Customs, Salt and Opium, which ex- plains the increase ex- hibited in 1826-27.
43,107 0 0	—	43,107 0 0	20,607		
24,000 0 0	—	24,000 0 0			
—	—	—			
3,600 0 0	—	3,600 0 0		—	{ The total increase in these united offices amounts to Sa. Rs. 900, which may be ascribed to small additions made to the Second Assist- ant's salary, for length of service.
2,400 0 0	1,200 0 0	3,600 0 0			
7,200 0 0	—	7,200 0 0			
4,800 0 0	1,800 0 0	6,600 0 0			
2,700 0 0	—	2,700 0 0		1 May 1818 ditto	{ Salary fixed at Sa. Rs. 2,155. 2. 9. per month, in lieu of com- mission. The new ar- rangement for this de- partment, ordered by Court, in a commercial letter, dated 23d Jan. 1818, para. 3 a' 14.
1,200 0 0	—	1,200 0 0			
25,862 1 0	—	25,862 1 0	1,031		
12,931 0 0	—	12,931 0 0	3,331		

(continued on next page.)

# 182 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

## Appendix, No. 33—continued.

The preceding Account—continued.

Bengal  
Commercial  
Salaries and  
Allowances.

	1816-17.		
	SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.
OFFICES AT THE PRESIDENCY—continued.			
Second Assistant Export Warehouse ..	—	—	—
Import Warehouse :			
Import Warehousekeeper .. ..	6,000 0 0	15,217 9 0	21,217 9 0
Naval Depot at Saugor :			
Naval Storekeeper .. ..	6,000 0 0	—	6,000 0 0
Agency for Loading Ships :			
Agent ; salary and house-rent .. ..	12,000 0 0	—	12,000 0 0
Deputy .. ..	3,000 0 0	372 0 0	3,372 0 0
Translator and Interpreter .. ..	2,400 0 0	—	2,400 0 0
FACTORIES :			
Baulcah :			
Resident .. ..	6,000 0 0	7,193 4 0	13,193 4 0
Assistant .. ..	2,896 8 0	1,228 2 0	4,124 10 0
Assistant Surgeon (including house-rent)	3,600 0 0	—	3,600 0 0
Benares :			
Resident .. ..	6,000 0 0	14,564 14 0	22,004 14 0 {
House-rent .. ..	1,440 0 0	—	
Assistant .. ..	—	—	—
Chittagong :			
Resident (salary and commission under " Luckypore )."			
House-rent .. ..	1,440 0 0	—	1,440 0 0
Assistant .. ..	2,896 8 0	—	2,896 0 8
Commercolly :			
Resident .. ..	6,000 0 0	14,131 7 0	20,131 7 0
Assistant .. ..	2,896 8 0	2,389 9 0	5,286 1 0
Assistant Surgeon .. ..	—	—	—
Cossimbuzar :			
Resident .. ..	6,000 0 0	28,449 14 0	34,449 14 0
Dacca :			
Resident .. ..	6,000 0 0	10,217 6 0	16,217 6 0

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 183

## Appendix, No. 33—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Salaries and  
Allowances.

1826-27.			INCREASE.		REASONS for each INCREASE.
SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.	AMOUNT.	Date of Creation of Office, or of respective Augmentations of Salary, &c.	
7,200 0 0	—	7,200 0 0	7,200	11 Dec. 1818	{ This appointment deemed necessary by the Board of Trade, and sanctioned by Government, on Consultation, 11th Dec. 1818, No. 12.
6,000 0 0	8,400 0 0	14,400 0 0			
—	—	—			
12,000 0 0	—	12,000 0 0			
3,000 0 0	372 0 0	3,372 0 0			
2,400 0 0	—	2,400 0 0			
6,000 0 0	28,482 12 0	34,482 12 0	21,290	—	{ Casual increase of commission.
—	—	—			
3,600 0 0	1,200 0 0	4,800 0 0	1,200	28 Nov. 1821	{ Additional allowance granted.
6,000 0 0	27,684 8 0	35,124 8 0	13,119	—	{ Casual increase of commission.
1,440 0 0	—				{ Resolution confirming this appointment recorded, on Consultation, 11th May 1826, No. 23 (A).
9,600 0 0	—	9,600 0 0	9,600	11 May 1826	
—	—	—			
6,000 0 0	24,811 11 0	30,811 0 0	10,681	—	{ Casual increase of commission.
4,800 0 0	—	4,800 0 0	4,800	23 Mar. 1827	{ Date of appointment.
6,000 0 0	28,482 12 0	34,482 12 0			
—	—	—			

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

## Appendix, No. 33—continued.

The preceding Account—continued.

Bengal  
Commercial  
Salaries and  
Allowances.

	1816-17.		
	SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.
FACORIES—continued.			
Gollagore:			
Resident (salary under "Hurripaul") ..	—	2,793 12 0	2,793 12 0
Assistant .. ditto .. ditto ..	—	466 9 0	466 9 0
Hurripaul:			
Resident .. .. .	6,000 0 0	8,790 4 0	16,230 4 0
House-rent .. .. .	1,440 0 0	—	
Assistant .. .. .	2,896 8 0	1,500 10 0	4,397 2 0
Surgeon .. .. .	3,600 0 0	—	3,600 0 0
Jungypore:			
Resident .. .. .	6,000 0 0	14,476 8 0	21,916 8 0
House-rent .. .. .	1,440 0 0	—	
Keerpoy:			
Resident, salary under "Radnagore") ..	—	2,985 7 0	2,985 7 0
Luckypore:			
Resident .. .. .	6,000 0 0	19,106 7 0	25,106 7 0
Assistant (salary under "Chittagong") ..	—	2,076 12 0	2,076 12 0
Malda:			
Resident .. .. .	6,000 0 0	6,194 12 0	12,194 12 0
Assistant .. .. .	2,896 8 0	1,057 8 0	3,954 0 0
Assistant Surgeon .. .. .	3,600 0 0	—	3,600 0 0
Patna:			
Resident .. .. .	6,000 0 0	16,115 8 0	22,115 8 0
Assistant .. .. .	2,896 8 0	2,751 3 0	5,647 11 0
Radnagore:			
Resident .. .. .	6,000 0 0	12,297 9 0	19,737 9 0
House-rent .. .. .	1,440 0 0	—	
Rungpore:			
Resident .. .. .	6,000 0 0	13,615 10 0	21,055 10 0 {
House-rent .. .. .	1,440 0 0	—	
Santipore:			
Resident .. .. .	6,000 0 0	5,062 5 0	12,502 5 0
House-rent .. .. .	1,440 0 0	—	
Soonamookey:			
Resident .. .. .	6,000 0 0	18,243 14 0	25,683 14 0 {
House-rent .. .. .	1,440 0 0	—	
Cossipore:			
Superintendent .. .. .	2,400 0 0	—	2,400 0 0

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 185

## Appendix, No. 33—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Salaries and  
Allowances.

1826-27.			INCREASE.		REASONS for each INCREASE.
SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.	AMOUNT.	Date of Creation of Office, or of respective Augmentations of Salary, &c.	
—	—	—	—	—	{ .. Vile Santipore Factory in 1826-27.
—	—	—			
6,000 0 0	19,214 5 0	25,214 5 0	8,984	—	{ .. Casual increase of commission.
—	—	—			
6,000 0 0	20,863 1 0	26,863 1 0	4,947	—	{ .. Casual increase of commission.
—	—	—			
—	—	—			
6,000 0 0	26,046 0 0	32,046 0 0	19,851	—	{ .. Casual increase of commission.
4,800 0 0	—	4,800 0 0	1,200	—	Additional allowance.
—	—	—			
—	1,600 0 0	1,600 0 0			
6,000 0 0	28,482 12 0	34,482 12 0	14,745	—	{ .. Casual increase of commission.
6,000 0 0	11,847 9 0	19,287 9 0			
1,440 0 0	—				
—	—				
6,000 0 0	18,661 8 0	27,061 8 0	1,377	—	{ .. Casual increase of commission.
1,440 0 0	—				
—	—	—			



# 186 FIRST APPENDIX TO THE THIRD REPORT OF THE

Appendix,—

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—*continued*.

Bengal  
Commercial  
Salaries and  
Allowances.

					1816-17.		
					SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.
Factories— <i>continued</i> .							
Etawah and Calpee :							
Resident	..	..	..	..	6,000	9,304 8 0	15,304 8 0
Assistant Surgeon	..	..	..	..	—	—	—
Santipore and Gollagore :							
Resident	..	..	..	..	—	—	—
Surdah :							
Resident	..	..	..	..	—	—	—
					Covenanted Servants.		Expense, Sa. Rs.
TOTAL .. ..					No. 44	—	5,44,922 11 0

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 187

—No. 33—*continued.*

The preceding Account—*continued.*

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Salaries and  
Allowances.

1826-27.			INCREASE.		REASONS for each INCREASE.
SALARY, per Annum.	Other ALLOWANCES, per Annum.	TOTAL.	AMOUNT.	Date of Creation of Office, or of respective Augmentations of Salary, &c.	
6,000 4,593	28,482 12 0 —	34,482 12 0 4,593 0 0	19,178	—	{ .. Casual increase of commission.
6,000 Rent: 1,440	24,970 0 0 —	} 32,440 0 0	—	—	{ .. Nominal increase. In former years these Factories were sepa- rately stated in the Returns.
6,000 Rent: 1,440	21,902 7 0 —	} 29,342 7 0	29,342	—	{ .. This Factory esta- blished 18th March 1824.
Covenanted Servants.		Expense, Sa. Rs.	Increase, Sa. Rs.		
No. 34	—	6,51,487 2 0	1,06,564 7		

(Errors excepted)

JAMES C. MELVILL,  
Aud. India Accts.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

## Appendix,—

A RETURN of the ESTABLISHMENTS connected with the COMMERCIAL OFFICES under to each Establishment, as it stood on the 1st May 1817, and on the 1st May 1827 ; Augmentations, and the Reasons assigned for the same.

	1816-17.			
	No.	EXPENSE of Establishment.	Contingencies.	TOTAL.
<b>ESTABLISHMENTS AT THE PRESIDENCY :</b>				
<b>Secretary's Office :</b>				
Europeans .. .. .	12	12,720	—	12,720
Native Writers and Servants ..	37	9,612	—	9,612
Contingencies .. .. .	—	—	538	538
	49			22,870
<b>Accountant's and Auditor's Offices :</b>				
Native Writers and Servants ..	15	6,024	—	6,024
Contingencies .. .. .	—	—	137	137
<b>Export Warehouse :</b>				
Europeans .. .. .	7	11,040	—	11,040
Native Writers and Servants ..	125	23,113	—	23,113
Pensioners .. .. .	—	—	—	1,524
Contingencies .. .. .	—	—	6,500	6,500
	132			42,177
<b>Baggage Department :</b>				
Europeans .. .. .	2	3,000	—	3,000
Natives .. .. .	4	420	—	420
	138			45,597
<b>Import Warehouse :</b>				
Europeans .. .. .	5	6,840	—	6,840
Native Writers and Servants ..	59	12,208	—	12,208
Contingencies .. .. .	—	—	53,223	53,223
	64			72,271
<b>Naval Depôt at Saugor : Natives ..</b>				
Agency for Loading, &c. Ships : Natives ..	22	—	—	1,836
Pensions payable at the Presidency ..	3	—	—	348
	—	—	—	7,476

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 189

—No. 34.

the Presidency of Bengal; showing the Number of Persons, and the Expense attaching and stating likewise the Date of New Establishments, or of any considerable

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Establishments  
and Expenses.

1826-27.				INCREASE.	DECREASE.	REASONS for each INCREASE.
No.	EXPENSE of Establishment.	Contingencies.	TOTAL.			
11	10,620	—	10,620	—	2,100	
41	11,712	—	11,712	2,100		
—	—	516	516	—	22	
52			22,848			
20	5,868	—	5,868	—	156	
—	—	1,176	1,176	1,039		
			7,044			
6	10,320	—	10,320	—	720	
123	22,472	—	22,472	—	641	
—	—	—	1,219	—	305	
—	—	3,708	3,708	—	2,792	
129			37,719			
2	3,000	—	3,000			
4	420	—	420			
135			41,139			
5	10,080	—	10,080	3,240	—	.. Though small additions have been made to the salaries of European writers, a very considerable diminution of charge is apparent under this head.
55	12,675	—	12,675	467		
—	—	1,700	1,700	—	51,523	
60			24,455			
—	—	—	—	—	1,836	
3	—	—	588	240		
—	—	—	7,110	—	366	

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Appendix,—

Bengal  
Commercial  
Establishments  
and Expenses.

The preceding Account—continued.

					1816-17.			
					No.	EXPENSE of Establishment.	Contingencies.	TOTAL.
ESTABLISHMENTS AT THE FACTORIES:								
Bauleah	..	..	Natives	.. ..	34	17,365	—	17,365
Benares	..	..	ditto	.. ..	150	15,674	—	15,674
Chittagong	..	..	ditto	.. ..	106	7,744	—	7,744
Commercolly	..	..	ditto	.. ..	180	15,252	—	15,252
Superintendent of Embankments	..	..		.. ..	—	—	—	—
Natives under ditto	..	..		.. ..	—	—	—	—
Cossimbuzar	..	..	Natives	.. ..	150	17,094	—	17,094
Dacca	..	..	ditto	.. ..	158	23,132	—	23,132
—	..	..	House-rent	.. ..	—	2,400	—	2,400
Gollagore	..	..	Natives	.. ..	104	8,526	—	8,526
Santipore	..	..	ditto	.. ..	182	16,743	—	16,743
Hurriaul	..	..	ditto	.. ..	100	6,188	—	6,188
Hurripaul	..	..	ditto	.. ..	172	12,846	—	12,846
Jungpore	..	..	ditto	.. ..	68	8,480	—	8,480
Keerpoy	..	..	ditto	.. ..	31	3,645	—	3,645
Luckypore	..	..	Europeans	.. ..	3	2,424	—	2,424
—	..	..	Natives, &c.	.. ..	221	21,811	—	21,811
—	..	..	Factory Rent	.. ..	—	1,286	—	1,286
Malda	..	..	Natives	.. ..	196	12,782	—	12,782
Patna	..	..	ditto	.. ..	365	23,099	—	23,099
Midnapore	..	..	Natives	.. ..	16	1,530	—	1,530
Radnagore	..	..	ditto	.. ..	89	6,816	—	6,816
Rungpore	..	..	European	.. ..	1	1,200	—	1,200
—	..	..	Natives	.. ..	233	17,773	—	17,773

—No. 34—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS.

Bengal  
Commercial  
Establishments  
and Expenses.

1826-27.				INCREASE.	DECREASE.	REASONS for each INCREASE.
No.	EXPENSE of Establishment.	Contingencies.	TOTAL.			
25 48 —	14,197 7,648 —	— — —	14,197 7,648 —	— — —	3,168 8,026 7,744	The strength of the Native Establishment at this Factory considerably exceeds the number here shown; it is not practicable, however, to state the exact number of persons employed at Baulcah in the years under review.
302 1 6 126 —	18,641 4,800 432 13,584 —	} — — — — —	23,673 — — 13,584 —	8,621 — — — —	— — — 3,510 25,532	
190 — — 127 76 —	18,000 — — 10,107 7,436 —		18,000 — — 10,107 7,436 —	} — — — — —	7,269 6,188 2,739 1,044 3,645	
— — 131 76 — 83 1 { 139	— — 10,112 7,720 — 6,516 720 9,700	— — — 194 — — — —	— — 10,112 7,914 — 6,516 10,420	— — — — — — — —	25,521 — 2,670 15,185 1,530 300 8,553	

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—*continued.*

				1816-17.			
				No.	EXPENSE of Establishment.	Contingencies.	TOTAL.
ESTABLISHMENTS AT THE FACTORIES. <i>continued.</i>							
Soonamookey ..	European ..	..	..	1	2,400	—	28,429
—	Natives ..	..	..	249	20,827		
—	Repairs ..	..	..	—	5,202		
—	Filature Rent ..	..	..	—	—		
—	Pension ..	..	..	—	—	—	—
Cossipore ..	Natives ..	..	..	66	6,207	—	6,207
Etawah & Calpee,	European ..	..	..	1	2,400	—	2,400
—	Natives ..	..	..	467	35,832	338	36,170
							38,570
Surdah ..	Natives ..	..	..	—	—	—	—
TOTAL .. { Europeans ..				32 }	Expense ..	Sa. Rs.	4,73,575
{ Natives ..				3,602 }			

East-India House,  
29th August 1831.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 193

—No. 34—*continued.*

The preceding Account—*continued.*

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Bengal  
Commercial  
Establishments,  
and Expenses.

1826-27.				INCREASE.	DECREASE.	Reasons for each Increase.
No.	EXPENSE. of Establishment.	Contingencies.	TOTAL.			
129	2,400	—	31,814	3,385	—	.. There would have been a decrease of charge at this factory, but for the payment made on account Filature Rent.
—	11,324	—	—	—	6,207	
—	18,000	—	—	—	—	
—	90	—	—	—	—	
1	2,400	—	2,400	—	—	
38	6,738	126	6,864	—	—	.. This factory established in 1824.
			9,264	—	29,306	
74	9,622	—	9,622	9,622	—	
Europeans, 26 } Expense.. Sa. Rs. Natives, 1,817 }			2,83,691	—	1,89,884	

(Errors excepted)

JAMES C. MELVILL,  
Aud. India Accts.



III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

A RETURN of all OFFICES, PLACES, and PENSIONS, Civil, Political, Military and Commer-  
included in the Returns laid before the Committee on East-India Affairs in 1830; with the  
or Places, as they stood on the 1st May 1817 and 1st May 1827; and further stating, in regard  
augmented since the 1st May 1814, the Date of such creation or of such Augmentation or

OFFICES OR PLACES.										1st May 1817.			
										No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
Court of Directors, viz.:											£.	£.	£.
Chairman and Deputy Chairman	..	..	..	..	..	..	..	..	..	2	1,000		
Directors	..	..	..	..	..	..	..	..	..	22	6,600		
										24	7,600	—	7,600
Secretary's Office:													
Secretary	..	..	..	..	..	..	..	..	..	1	2,800	} 1,175	
Assistant	..	..	..	..	..	..	..	..	..	1	1,500		
Clerks	..	..	..	..	..	..	..	..	..	18	7,600		
										20	11,900	1,175	13,075
Examiner of Indian Correspondence:													
Examiner	..	..	..	..	..	..	..	..	..	1	2,300	} 908	
Assistants	..	..	..	..	..	..	..	..	..	3	3,500		
Clerks	..	..	..	..	..	..	..	..	..	11	3,190		
Searchers of Records	..	..	..	..	..	..	..	..	..	1	350		
										16	9,340	908	10,248
Auditor of Indian Accounts:													
Auditor	..	..	..	..	..	..	..	..	..	1	2,000	} 308	
Deputy	..	..	..	..	..	..	..	..	..	1	1,000		
Clerks	..	..	..	..	..	..	..	..	..	10	2,830		
Military Assistant	..	..	..	..	..	..	..	..	..	1	300		
										13	6,130	308	6,438

—No. 35.

cial, held under the EAST-INDIA COMPANY, within the United Kingdom and Colonies, and not Salary, and the Amount and Nature of any other Allowances, annexed to each of such Offices to Offices and Places which have been created, or of which the Salaries or Allowances have been Augmentations.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
—  
Home  
Establishment,  
Salaries and  
Allowances.

1st May 1827.				
No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.	
	£.	£.	£.	
2	1,000.			
22	6,600			
24	7,600	—	7,600	
1	2,600	} 608		2 Sept. 1818 .. 1 Clerk's Salary increased £130 per annum.
1	1,500			12 Mar. 1819 .. 1 .. .. Ditto .. .. 150 —
16	7,705			6 April 1825 .. 2 .. .. Ditto .. .. 200 —
				21 Mar. 1826 .. 1 .. .. Ditto .. .. 50 —
18	11,805	608	12,413	
1	2,300	} 545		5 Oct. 1814 .. 1 Assistant's Salary increased £200 per annum.
4	4,400			9 April 1823 .. 2 .. .. Ditto .. .. 400 —
16	6,050			2 Mar. 1825 .. 1 .. .. Ditto .. .. 200 —
2	1,300			February — .. an additional Assistant appointed.
				In 1819 .. 1 Clerk added.
				1823 .. 2 ditto.
23	14,050	545	14,595	1825 .. 2 ditto.
				2 Mar. — .. 5 — salaries increased £388 per annum.
				April 1829, an additional Searcher of Records appointed; transferred from another department.
				27 Feb. 1822 .. Searcher and Assistant's Salaries increased £110 per annum.
				23 Mar. 1825 .. .. Ditto .. .. 260 —
1	2,000	} 303		11 April 1815 .. Auditor's Salary increased £100 per annum.
15	5,610			Ditto — .. Deputy's ditto .. .. 100 —
				10 Ditto 1821 .. 2 Clerks' ditto .. .. 70 —
				28 Aug. 1816 .. 1 Military Assistant appointed 300 —
				In 1816 .. 1 Clerk added.
16	7,610	303	7,913	1823 .. 4 Ditto.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

The preceding Account—continued.

OFFICES OR PLACES.								1st May 1817.			
								No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
Military Secretary's Office:									£.	£.	£.
Military Secretary	..	..	..	..	..	..	..	1	1,500	} 145	2,675
Assistant	..	..	..	..	..	..	..	1	520		
Clerks	..	..	..	..	..	..	..	2	510		
								4	2,530	145	
Paymaster of Lord Clive's Fund:											
Paymaster	..	..	..	..	..	..	..	1	600	—	1,200
Assistant	..	..	..	..	..	..	..	1	600	—	
Clerks	..	..	..	..	..	..	..	—	—	—	
								2	1,200	—	
Accountant-General's Office:											
Accountant-General	..	..	..	..	..	..	..	1	2,400	} 1,494	21,164
Deputy	..	..	..	..	..	..	..	1	1,500		
Clerks	..	..	..	..	..	..	..	36	15,770		
								38	19,670	1,494	
Auditor of Home Accounts:											
Auditor	..	..	..	..	..	..	..	—	—	—	—
Clerks	..	..	..	..	..	..	..	—	—	—	
								—	—	—	
								—	—	—	
China Correspondence and Secret Commercial-office:											
Clerk to Secret Commercial Committee	..	..	..	..	..	..	..	—	—	—	212
Clerk under ditto	..	..	..	..	..	..	..	1	200	12	
								1	200	12	
								1	200	12	
Treasury:											
Treasurer	..	..	..	..	..	..	..	1	1,400	} 678	9,128
Deputy	..	..	..	..	..	..	..	1	1,200		
Clerks	..	..	..	..	..	..	..	16	5,850		
								18	8,450	678	

—No. 35—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

1st May 1827.				
No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.	
	£.	£.	£.	
1	2,000	} 95	3,675	1818.. Mil. Secretary's Salary, increased £500 per ann.
1	900			31 March 1824.. Assistant's ditto .. .. 100 —
3	680			Ditto 1826 .. .. Ditto .. .. 200 —
5	3,580	95		27 June 1821.. Clerk's Salary increased £50 per annum.
				25 Sept. 1822.. .. Ditto .. .. 40 —
				2 April 1823.. .. Ditto .. .. 60 —
				In 1826.. 1 Clerk added.
1	800	} 45	1,335	28 June 1815.. Paymaster and Deputy increased £400 per ann.
1	390			February 1822.. Paymaster's Salary increased £200, in consequence of the superintendence of the Recruiting Department being transferred to this office.
1	100			April 1819.. Assistant's ditto .. .. £110 per annum.
3	1,290	45		March 1822.. .. Ditto .. .. 60 —
				April 1824.. 1 Clerk appointed.
1	2,400	} 844	18,404	11 October 1816.. 2 Clerk's salary increased £400 per annum.
1	1,500			26 March 1817.. Clerk Committee of Accounts 100 —
29	13,660			25 July 1821.. 2 Clerks increased .. 140 —
31	17,560	844		9 April 1824.. 2 .. Ditto .. .. 40 —
1	1,200	} 215	2,755	July 1821.. 5 Clerks detached from the Accountant-General's Office to form this department.
4	1,340			11 Dec. 1822.. 1 Clerk's salary increased £110 per annum.
5	2,540	215		
1	1,500	—	1,940	July 1821.. 1 Clerk detached from the Accountant-General's Office.
1	400	40		17 Nov. 1824.. Salary increased £200 per annum.
2	1,900	40		
1	1,400	} 468	9,598	1815.. Treasurer's Salary increased £100 per annum.
1	1,200			1817.. .. Ditto .. .. 200 —
14	6,530			1815.. Deputy's Ditto .. .. 100 —
				1817.. .. Ditto .. .. 200 —
				— .. 1st Clerk's Ditto .. .. 100 —
16	9,130	468		30 March 1825.. 2d Clerk's Ditto .. .. 150 —

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

The preceding Account—*continued*.

OFFICES OR PLACES.										1st May 1817.			
										No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
Transfer Accountant's-office :											£.	£.	£.
Transfer Accountant	..	..	..	..	..	..	..	..	..	1	1,070	} 151	4,571
Deputy	..	..	..	..	..	..	..	..	..	1	660		
Clerks	..	..	..	..	..	..	..	..	..	8	2,690		
										10	4,420	151	
Freight-office :													
Freight Accountant	..	..	..	..	..	..	..	..	..	1	1,600	} 407	9,817
Deputy	..	..	..	..	..	..	..	..	..	1	950		
Clerks	..	..	..	..	..	..	..	..	..	20	6,860		
										22	9,410	407	
Pay-office :													
Paymaster of Seamen's Wages	..	..	..	..	..	..	..	..	..	1	2,200	} 137	4,397
Deputy	..	..	..	..	..	..	..	..	..	1	800		
Clerks	..	..	..	..	..	..	..	..	..	4	1,260		
										6	4,260	137	
Shipping-office :													
Clerk to Committee of Shipping	..	..	..	..	..	..	..	..	..	1	1,800	} 518	7,268
Assistant to ditto	..	..	..	..	..	..	..	..	..	1	1,000		
Clerks	..	..	..	..	..	..	..	..	..	12	3,950		
										14	6,750	518	
Master Attendant's-office :													
Master Attendant	..	..	..	..	..	..	..	..	..	1	1,300	} 153	5,403
Deputy	..	..	..	..	..	..	..	..	..	1	700		
Assistants	..	..	..	..	..	..	..	..	..	3	1,010		
Clerks	..	..	..	..	..	..	..	..	..	3	540		
Surveyor of Shipping	..	..	..	..	..	..	..	..	..	1	800		7,941
Assistants	..	..	..	..	..	..	..	..	..	2	900		
										11	5,250	153	
Office of Buying and Warehouses :													
Clerk to Committee of Buying and Warehouses	..	..	..	..	..	..	..	..	..	1	2,000	} 551	7,941
Assistant to ditto	..	..	ditto	..	..	..	..	..	..	1	1,050		
Clerks	..	..	..	..	..	..	..	..	..	13	4,340		
										15	7,390	551	
Auctioneers										2	1,050	—	1,050

-No. 35—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

1st May 1827.				
No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.	
	£.	£.	£.	
1	1,000	} 152	.	12 April 1815 .. Transfer Accountant's Salary increased £170 per annum.
7	3,970			Ditto .. .. Deputy's .. .. Ditto .. .. 130 per annum.
8	4,970	152	5,122	
1	1,600	} 333		16 Nov. 1814 .. Freight Accountant's Salary increased £111 p' an.
1	950			June 1815 .. .. .. Ditto .. .. 100 —
12	6,170			— 1816 .. .. .. Ditto .. .. 100 —
14	8,720	333	9,053	13 Apr. 1825 .. A Clerk's .. .. Ditto .. .. 50 —
1	2,200	} 95		6 Sept. 1826 .. .. .. Ditto .. .. 100 —
1	900			
4	1,160			1 May 1817 .. Deputy's Salary, increased £100 per annum.
6	4,260	95	4,355	
1	1,800	} 283		
1	1,000			6 Apr. 1824 .. Assistant's Salary increased £150 per annum, having been previously reduced in 1820.
10	5,040			
12	7,840	283	8,123	
1	1,300	} 121		7 June 1816 .. Master Attendant's Salary increased £300 p' ann.
1	700			— — .. Deputy's .. .. Ditto .. .. 125 —
3	1,010			— — .. 1st Assistant's .. Ditto .. .. 148 —
3	1,100			— — .. 1st Clerk's .. Ditto .. .. 100 —
1	900			8 Apr. 1818 .. Ditto .. .. Ditto .. .. 30 —
2	900			1 — 1817 .. Surveyor of Shipping, Ditto .. .. 100 —
11	5,910			30 — 1823 .. 2d Assistant to Do. Ditto .. .. 50 —
1	2,000	} 487		
1	1,300			20 Nov. 1817 .. Assistant's Salary increased £50 per annum,
13	5,766			18 Jan. 1826 .. .. .. Ditto .. .. 200 —
15	9,066	487	9,553	6 Feb. 1822 .. 1st Clerk's Ditto .. .. 50 —
2	1,370	—	1,370	18 Jan. 1826 .. 2d Clerk's Ditto .. .. 140 —
				10 Apr. 1827 .. Several Clerks' Ditto .. .. 530 —
				22 Mar. 1816 .. Junior Auctioneer's Salary increased £170 p' ann.

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—continued.

Home  
Establishment,  
Salaries and  
Allowances.

OFFICES OR PLACES.								1st May 1817.			
								No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
East-India Wharf:									£.	£.	£.
Husband	..	..	..	..	..	..	..	1	1,200	} 117	
Assistant	..	..	..	..	..	..	..	1	800		
Clerks	..	..	..	..	..	..	..	7	2,160		
Private Trade, Outward:											
Clerks	..	..	..	..	..	..	..	2	1,790	} 117	
Superintendent at the East-India Docks	..	..	..	..	..	..	..	1	450		
								12	6,400	117	6,517
Tea Warehouses:											
Warehouse Keeper	..	..	..	..	..	..	..	1	2,650	} 286	
Assistant	..	..	..	..	..	..	..	1	1,000		
Clerks	..	..	..	..	..	..	..	20	5,330		
								22	8,980	286	9,266
Bengal Warehouse:											
Warehouse Keeper	..	..	..	..	..	..	..	1	1,850	} 50	
Assistant	..	..	..	..	..	..	..	1	950		
Clerks	..	..	..	..	..	..	..	4	1,710		
								6	4,510	50	4,560
Coast Warehouse:											
Warehouse Keeper	..	..	..	..	..	..	..	1	1,550	} 35	
Assistant	..	..	..	..	..	..	..	1	900		
Clerks	..	..	..	..	..	..	..	4	1,770		
								6	4,220	35	4,255
Private Trade Warehouse:											
Warehouse Keeper	..	..	..	..	..	..	..	1	1,100	} 61	
Clerks	..	..	..	..	..	..	..	7	1,460		
								8	2,560	61	2,621
Assistant Private Trade Warehouse:											
Assistant Warehouse Keeper	..	..	..	..	..	..	..	1	900	} 62	
Clerks	..	..	..	..	..	..	..	7	1,400		
								8	2,300	62	2,362

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

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—No. 35—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Salaries and  
Allowances.

1st May 1827.				
No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.	
	£.	£.	£.	
1 1 7	1,200 800 3,290	} 103		3 April 1818 .. A Clerk's Salary increased £25 per annum.
				21 Jan. 1824 .. .. Ditto .. 50 —
1 1	660 710			26 March 1817 .. Superintendent's Ditto .. 100 —
11	6,660	103	6,763	
1 1 16	2,000 1,000 6,430	} 159		11 April 1826 .. Several Clerk's Salaries increased £430 p' ann.
18	9,430	159	9,589	
1 1 6	1,500 1,000 2,030	} 50		21 March 1826 .. Assistant's Salary increased £50 per annum.
8	4,530	50	4,580	21 Jan. 1824 .. A Clerk's Ditto £50 per annum.
				11 April 1826 .. .. Ditto £40 per annum.
				17 March 1819 .. Assistant Warehouse Keeper increased £50 per annum.
—	—	—	—	
1 7	1,100 2,600	} 95		11 April 1826 .. Clerk's Salary increased £50 per annum.
8	3,700	95	3,795	
1 7	1,000 2,320	} 68		12 Jan. 1821 .. Assistant Warehouse Keeper's Salary increased £100 per annum.
8	3,320	68	3,388	11 April 1826 .. Clerk's .. Ditto .. £80 per annum.

2 D

(continued on next page.)

2 Aug. 1820,  
these Depart-  
ments were  
united under  
one Establish-  
ment.



III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

## Appendix,—

The preceding Account—*continued*.

OFFICES OR PLACES.							1st May 1817.			
							No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
								£.	£.	£.
Pepper and Salt-Petre Warehouse :							1	820	}	74
Warehouse Keeper .. .. .							7	620		
Clerks .. .. .							8	1,440	74	1,514
Baggage Warehouse :							1	950	}	8
Warehouse Keeper .. .. .							1	320		
Clerk .. .. .							2	1,270	8	1,278
Military Store Warehouse :							1	1,500		
Inspector .. .. .							1	300		
Assistant .. .. .							2	1,800	—	1,800
Clerk to the Committee of House .. .. .							1	800	—	800
Clerk to the Committee for Superintending the Military Seminary ..							1	1,000	23	1,023
Clerk to the Committee for Superintending the East-India College							—	—	—	—
Book Office :							2	540	64	604
Clerks .. .. .							1	700	}	16
Library :							3	765		
Librarian .. .. .							4	1,465	16	1,481
Clerks .. .. .							1	400	}	95
Chart Office :							1	420		
Hydrographer .. .. .							2	820	95	915
Clerk .. .. .										

—No. 35—continued.

The preceding Account—continued.

1st May 1827.			
No.	Salaries and Allowances.	Allowance for Attendance on Holidays and beyond the Official Hours.	TOTAL.
	£.	£.	£.
1	1,000	}	100
7	2,350		
8	3,350		3,450
1	1,000	}	10
1	260		
2	1,260		1,270
1	1,000		
1	600		
2	1,600		1,600
—	—		—
1	1,200	29	1,229
1	700	10	710
2	680	48	728
1	700	}	10
2	720		
3	1,420	10	1,430
1	400	}	31
1	600		
	1,000	31	1,031

31 March 1818.. Warehouse Keeper's Salary increased £150 p' ann.  
 19 Ditto 1819 .. .. Ditto .. 50 —  
 15 Ditto 1820.. .. .. Ditto .. 100 —  
 19 Ditto 1819.. 1st Clerk's .. Ditto .. 60 —  
 Ditto — .. 2d Ditto .. Ditto .. 40 —  
 28 Feb. 1822.. 2 Clerks .. Ditto .. 100 —

6 April 1825.. Warehouse Keeper's Salary increased £50 p' ann.  
 11 Ditto 1826.. Clerk's .. Ditto .. 120 —

11 April 1815.. Inspector's Salary increased £500 p' ann.  
 26 March 1819.. Ditto and Assistant's Ditto 150 —  
 22 Jan. 1823 .. .. Ditto .. 150 —  
 19 Ditto 1825 .. .. Ditto .. 400 —

2 March 1825.. Clerk's Salary increased £110 per annum.  
 28 Feb. 1827.. The duty of this Department was transferred to the Office of Buying and Warchouses.

6 April 1821.. Clerk's Salary increased £200 per annum.

1 May 1817.. The duty of this Office was performed by a Clerk in the Examiner's Office, who was detached from that Office.

16 Oct. 1824.. Clerk's Salary increased £70 per annum.

26 March 1817.. Librarian's Salary increased £200 per annum.

26 June 1816.. Hydrographer's Salary increased £200 p' ann.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceeding Account—*continued.*

Home  
Establishment,  
Salaries and  
Allowances.

OFFICES OR PLACES.	1st May 1817.			
	No.	Salaries and Allowances.		TOTAL.
		£.	£.	£.
Standing Counsel .. .. .	1	500	—	500
Solicitor .. .. .	1	500	—	500
Surveyor .. .. .	1	500	—	500
Examining Physician .. .. .	1	420	—	—
Assistant .. .. .	1	200	—	—
	2	620	—	620
Lecturer on the Diseases of Hot Climates .. .. .	1	105	—	105
Examiner of Veterinary Medicines .. .. .	—	—	—	—
Chaplain of Poplar Hospital .. .. .	1	100	—	100
East-India College :				
Professors and Masters .. .. .	15	}	—	8,850
Public Servants .. .. .	38			
Military Seminary :				
Professors and Masters .. .. .	10	}	—	3,768
Public Servants, and Serjeant and Corporal .. .. .	14			
Agents in the United Kingdom .. .. .	12	{ Gratuities 347	{ 2½ per cent. upon the amount of their Disburse- ments.	

—No. 35—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

1st May 1827.				
No.	Salaries and Allowances.		TOTAL.	
	£.	£.	£.	
1	500	—	500	
1	500	—	500	
1	500	—	500	16 Jan. 1822, Salary of Surveyor increased £50 per annum.
1	470	—		
1	470	—	470	
—	—	—		
1	50	—	50	Appointed 22 Feb 1826. (Examiner of Veterinary Medicines.)
1	100	—	100	
14 42	—	—	8,073	{ 14 April 1819, Professor's Salary increased £105 per annum. 13 Aug. 1823, Two ditto ditto .. 200 — 27 ditto An Assistant appointed .. 200 — 4 Aug. 1824, Professor's Salary increased 100 — 16 Nov. 1825, Ditto .. ditto .. 50 — 20 Jan. 1826, Ditto .. ditto .. 200 —
21 27	—	—	7,829	{ 24 March 1819, additional Classical Master appointed, £100 per annum. 17 ditto Increase of Salary to a Professor .. 100 — 94 ditto Ditto .. to several Tutors .. 90 — 1 Dec, 1819, Ditto .. an Examiner .. 200 — 8 June 1821, Ditto .. Head Master 200 — 22 Feb. 1822, Ditto .. Professor .. 100 — 8 April 1823, Ditto .. Professors .. 180 — 7 May — Ditto .. ditto .. 100 — 17 Sept. — Ditto .. ditto .. 100 — 2 March 1824, an Assistant Adjutant appointed, at 182 10s. per ann. 21 July — Increase of Salary to eight Professors 440 — Purveyor and Steward appointed .. 150 — 4 Aug. — Increase of Salary to Public Examiner .. 200 — 13 Dec. 1825, additional Professor appointed .. 100 — 3 May 1826, Increase of Salary to Professor .. 100 — 2 Aug. — Ditto .. ditto ... .. 100 —
13	{ Gratuities 337	{ 2½ per cent. upon the amount of their Disburse- ments.		One agent appointed at Liverpool (without Salary), 29 Jan. 1819.

(continued on next page.)

## III.

OFFICERS,  
ESTABLISHMENTS,  
&c.The preceding Account—*continued*.Home  
Establishment,  
Salaries and  
Allowances.

OFFICES OR PLACES.								1st May 1817.		
								No.	Salaries and Allowances.	TOTAL.
Agents abroad, viz.										
At Aleppo	..	..	..	..	..	..	..	1	£. 1,200	—
Constantinople	..	..	..	..	..	..	..	1	500	—
Cairo	..	..	..	..	..	..	..	1	No fixed Allowance.	—
Isle of France	..	..	..	..	..	..	..	1	S.Rs. 150 per month.	—
Vienna	..	..	..	..	..	..	..	1	£50	—
Cape of Good Hope	..	..	..	..	..	..	..	1	1,600	{ Commission 5 per cent. on Profits of Sales. }
Clerk	..	..	..	..	..	..	..	1	300	
Storekeeper	..	..	..	..	..	..	..	1	R. Ds. 1,200	
North America { Canada	..	..	..	..	..	..	..	—	—	—
Halifax	..	..	..	..	..	..	..	—	—	—
Several Places	..	..	..	..	..	..	..	5	No fixed Allowance.	—
Recruiting Department:										
Superintendent	..	..	..	..	..	..	..	1	£. 920	—
At the Depot at Chatham:										
Officers	..	..	..	..	..	..	..	5	2,461	—
Serjeants and Corporals, &c.	..	..	..	..	..	..	..	23	1,028	—
At the several Recruiting Districts:										
Officers	..	..	..	..	..	..	..	6	1,642	Allowance for Re- cruits approved. 1,930
Serjeants and Corporals, &c.	..	..	..	..	..	..	..	30	1,108	
								£	7,159	1,930
										9,089

East-India House,  
1831.

—No. 35—*continued.*The preceding Account—*continued.*

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment,  
Salaries and  
Allowances.

1st May 1827.			
No.	Salaries and Allowances.	TOTAL.	
—	£.		
1	Abolished		
1	500		
1	100		
1	No fixed Allowance.		
1	Ditto.		
1	£1,600	{ Commission of 5 p' cent. on Profits of Sales.	
1	300 .		
1	R.Ds. 1,500	—	5th July 1824. Storekeeper's Salary increased R.Ds. 300.
1	{ 2 per cent. on Sale amount of Con-		Agent at Canada appointed 7th July 1824.
1	signments to them from China. }		Ditto .. Halifax .. ditto 25th March 1825.
9	No fixed Allowance.		
—	—	—	February 1822, transferred to Paymaster of Lord Clive's Fund.
7	£.		
31	3,094	—	
	1,345	—	
6	1,095	Allowance for Re-	Mem.—In addition to the several increases of Salary above specified, the Clerks on the Establishment receive augmentations at the rate of £20 per annum, until their incomes amount to £600 per annum, in virtue of the general Salary Regulations of April 1815 and April 1816.
34	1,317	cruits approved.	
		2,666	
£	6,851	2,666	9,517

(Errors excepted)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

## Appendix, No. 35—(continued.)

Pensions,  
1817.

## PENSIONS, 1st May 1817.

	£.	s.	d.
AGNEW, five children of the late Major-general ... ..	100	0	0
Anbury, Mr. O., late Clerk Accountant's Office ... ..	250	0	0
Aunis, Mrs. S., widow of an Extra Clerk (during widowhood) ... ..	25	0	0
Adams, Mrs. F., and her four children, widow of a Clerk, Examiner's Office	160	0	0
Andrews, Mrs. Jane, widow of a Porter ... ..	20	0	0
Adney, Mrs. C., widow of an Extra Clerk ... ..	30	0	0
Aggliton, Mr. J., late Elder, Coast Warehouse ... ..	200	0	0
Agar, Mr. Moses, late an Elder ... ..	100	0	0
Baker, T. E., late Deputy Assistant Auditor, the five children of ... ..	250	0	0
Blackbeard, Mrs. Ann, widow of an Elder ... ..	40	0	0
Butler, Mr. John, late Clerk, Pay-office ... ..	100	0	0
Barclay, Mrs. A., widow of a late Member of Council, Madras (during widowhood) ... ..	60	0	0
Braham, Mrs. E., widow of late Surgeon at Bencoolen ... ..	40	0	0
Byron, two children of the late Captain, on account of his services in India	100	0	0
Broff, Mrs. E., widow of late Governor of Bencoolen ... ..	125	0	0
Bell, Dr., late Chaplain Madras Establishment ... ..	200	0	0
Bird, Mrs. Ann Elizabeth, widow of a Senior Merchant, Bengal Establish- ment, and her daughter ... ..	130	0	0
Broff, Mr. R., formerly of the Bencoolen Establishment ... ..	200	0	0
Beatson, Major-general A., for services in India ... ..	400	0	0
Billamore, Mrs., widow of an Officer Bombay Marine, and her two children	98	9	0
Bagshaw, Mrs., widow of a late Surgeon at Bencoolen ... ..	80	0	0
Baldwin, G., Esq., late Agent at Cairo ... ..	200	0	0
Blows, Miss S., niece of a late Commander of Company's Recruits at the Isle of Wight ... ..	20	0	0
Braham, Mr. P., late Acting Deputy Governor at Bencoolen ... ..	500	0	0
Brassington, Mrs. H., widow of Porter, Accountant's Office ... ..	20	0	0
Brook, Mrs., Widow of a late Governor, St. Helena ... ..	200	0	0
Bellasis, Mrs. Mary, widow of a Clerk, Examiner's Office ... ..	50	0	0
Browne, Mr. Bw., late Chief Buying-office ... ..	800	0	0
Barnes, William, late Extra Clerk ... ..	63	0	0
Bridge, Rev. B., late Professor East-India College ... ..	200	0	0
Barnes, Mr. G., late Door-keeper ... ..	225	0	0
Bayley, Mrs. Eliza, widow of a Porter ... ..	10	0	0
Bell, William, late Clerk Auditor's Office, four children of ... ..	40	0	0

Baildon,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 209

	£.	s.	d.
Baildon, Mrs. Isabella, widow of Dr. Blate, Surgeon, St. Helena Establishment, and her four children ... ..	168	8	8
Baillie, Mr. W., late Writer, Bombay Establishment ... ..	120	0	0
Blair, Mr. Robert, late Assistant Surgeon, Bengal Establishment ... ..	40	0	0
Burt, Robert, late Extra Clerk, during insanity ... ..	50	0	0
Blair, Mr. George, late Elder, Coast Warehouse ... ..	200	0	0
Bates, Mr. Henry, late Assistant Elder, Tea Warehouse ... ..	75	0	0
Bishop, Mrs., wife of late Clerk, Tea Warehouse, for herself and Children	95	0	0
Brown, Mrs. E., widow of Examiner of Military Stores ... ..	25	0	0
Brindle, Mrs. Anna, widow of an Assistant Elder, and her five children	30	0	0
Blackbeard, Mrs. A., widow of Coast Warehouse-keeper ... ..	20	0	0
Burford, Mrs. Lucy, widow Clerk, Buying Office ... ..	200	0	0
Burford, Mr. J. S., late Clerk, Pay Office ... ..	300	0	0
Burford, Mrs. Hannah, wife of ditto ... ..	200	0	0
Bate, Mr. Richard, late Deputy Assistant Elder, Private Trade Warehouse	35	0	0
Beard, Mr. N., late Cloth-drawer ... ..	70	0	0
Black, Mrs. Eliza, widow of ditto ... ..	20	0	0
Burges, Mrs. Mary, widow of a Commander ... ..	60	0	0
Blackford, Mrs. Ann ditto ... ..	60	0	0
Burt, Mrs. Jane ditto ... ..	60	0	0
Burges, Captain William, late Commander ... ..	120	0	0
Bartlett, Captain John ditto ... ..	120	0	0
Baynes, Captain William ditto ... ..	120	0	0
Bryant, Mrs. Mary, widow of an occasional Inspector of Private Trade	30	0	0
Cruikshank, Mrs. Eliza, widow of a Surgeon, St. Helena Establishment, and her son ... ..	70	12	4
Collingwood, Mr. C., late Clerk, Freight Office ... ..	425	0	0
Cockburn, Mrs. E., late Daires, widow of a late Serjeant-major, Madras	80	0	0
Corneile, Mrs. M., widow of Governor of St. Helena ... ..	200	0	0
Charters, Mrs. C., widow of a Civil Servant at Bengal ... ..	100	0	0
Compton, Mrs. F., late Clerk, Freight Office ... ..	100	0	0
Court, Mrs. E., widow of late Junior Merchant, Madras ... ..	100	0	0
Corsellis, Mrs. H., widow of Civil Servant, Bencoolen ... ..	50	0	0
Clarke, Mrs. S., widow of Clerk, Accountant's Office ... ..	80	0	0
Casement, Mrs., widow of Surgeon, Bengal Establishment ... ..	50	0	0
Corner, Captain John, late Assistant Master Attendant ... ..	200	0	0
Coggan, Captain J., late Master Attendant ... ..	400	0	0
Crawford, Mrs. E., daughter late Clerk, Accountant's Office ... ..	20	0	0
Coles, Miss E., daughter of late Governor of Bencoolen ... ..	25	0	0
Capel, Mr. James, late Elder, Pepper Warehouse ... ..	200	0	0
Clark, Mr. Richard, late Clerk, Coast Warehouse ... ..	370	0	0
Capper, Colonel James, formerly Madras Establishment, for long and meritorious services ... ..	150	0	0

III  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
Pensions,  
— 1817.



# 210 FIRST APPENDIX TO THE THIRD REPORT OF THE

III. OFFICERS, ESTABLISHMENTS, &c. <hr/> Pensions, 1817.		£. s. d.		
		£.	s.	d.
	Cuming, Mrs. Mary, daughter of a late Director, in consideration of her distressed situation ... ..	100	0	0
	Colson, Mrs. Ann, widow of late Deputy Paymaster of Seaman's Wages ... ..	110	0	0
	Cawood, Mr. J., late Clerk, Secretary's Office ... ..	130	0	0
	Chappel, Mr. Roger, late Clerk, Assistant Private Trade Warehouse ... ..	63	0	0
	Calladine, J., late Firelighter ... ..	50	0	0
	Coward, Mr. W., late Elder, Tea Warehouse ... ..	350	0	0
	Cleeve, Mr. Richard, late an Elder ... ..	200	0	0
	Cattlin, Mr. William, late Company's Packer ... ..	50	0	0
	Cameron, Mrs. Josepha E. widow of a Commander ... ..	60	0	0
	Carruthers, Captain Walker, late Commander ... ..	120	0	0
	Cumberlege, Captain John A., ... ditto ... ..	120	0	0
	Crowdice, Christopher, Carpenter of a Ship in Company's service ... ..	9	12	0
	Collier, Mr. William, late a Surveyor of Private Trade... ..	50	0	0
	Cuzons, Mrs. Mary, widow of a Waterman ... ..	25	0	0
	Dobie, Mr. J., late Clerk Private Trade Warehouse ... ..	40	0	0
	Davidson, Mrs., widow late Clerk Examiner's Office ... ..	20	0	0
	Denton, Mrs. M., widow of a late Commander ... ..	20	0	0
	Dinning, Mr. H., late of Fort Malbro' Establishment ... ..	260	0	0
	Dance, Sir N., for his gallant defence of the China fleet against Linois' squadron ... ..	500	0	0
	Davidson, Major S. W., late Madras Establishment, for his long services ... ..	150	0	0
	Dawson, Mrs. Elizabeth, widow of Captain Dawson, Bombay Establishment ... ..	45	12	6
	Davison, Mrs., widow of late Clerk, Examiner's Office ... ..	75	0	0
	Dominicus, Mr. George, late Company's Husband ... ..	650	0	0
	Donaldson, Miss M., daughter of late Assistant Elder ... ..	15	0	0
	Edwards, Mr. J., late Porter ... ..	30	0	0
	Eyles, Mrs., widow of late Clerk, East-India Wharf ... ..	30	0	0
	Eley, Mr. C. F., late Master of the Band of Royal East-India Volunteers ... ..	25	0	0
	Ely, Mr. George, late Extra Clerk Secretary's Office ... ..	75	0	0
	Eyre, Mr. W., late Clerk Tea Warehouse ... ..	120	0	0
	Edwards, Mrs. Ann, widow of an Examiner of Military Stores ... ..	20	0	0
	Eckford, Mrs. Robina S., widow of a Commander ... ..	60	0	0
	Fraser, Mr. J., jun., late Civil Servant Bengal Establishment ... ..	105	0	0
	Fraser, Mrs., widow of Major-general Fraser ... ..	200	0	0
	Fancourt, Mrs., widow of Colonel Fancourt, of His Majesty's 34th Regiment, and her two children ... ..	150	0	0
	Fitzroy, Honourable F., formerly Madras Establishment ... ..	200	0	0
	Frost, Mr. P., late Pepper Warehouse-keeper ... ..	600	0	0
	Ferguson, Mrs. M., widow of a Surveyor of Shipping, for her three daughters ... ..	150	0	0
	Fullerton, Mrs., widow of late Colonel Fullerton ... ..	200	0	0

Fletcher,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 211

	£.	s.	d.	III.
Fletcher, Mr. Charles, late Ensign, Madras Establishment ... ..	50	0	0	OFFICERS,
Falconer, Misses, daughters of the late J. Falconer, Storekeeper, Bombay	70	0	0	ESTABLISHMENTS,
Fetherstonehaugh, Mr. C. S., late Private Trade Warehouse-keeper ...	200	0	0	&c.
Gillum, Mrs. M., widow of a Clerk Secretary's Office ... ..	100	0	0	Pensions,
Grand, Mr. G. T., late Bengal Civil Service ... ..	100	0	0	1817.
Gillett, Mrs. E., widow of 1st Assistant Surveyor of Shipping ... ..	100	0	0	
Griffiths, Mr. J., Senior Merchant, Bencoolen Establishmen ... ..	260	0	0	
Green, Mrs., widow of Major-general Green, Bengal Establishment ...	50	0	0	
Gardner, Mr. S., late one of the Company's Packers ... ..	150	0	0	
Greenhill, Lieutenant-colonel A., late Madras Establishment ... ..	200	0	0	
Gray, Captain A., His Majesty's 77th Regiment, for services in India ...	45	0	0	
Gourlay, Major, Madras Artillery ... ..	136	17	4	
Gilmour, Mrs. M., Mother of Lieutenant, Bombay Marine ... ..	15	0	0	
Gahagan, Mr. W., late Apothecary, St. Helena Establishment ... ..	65	0	0	
Gahagan, Mrs. L., widow of a late Surgeon ... ..	100	0	0	
Gilchrist, Dr. J., late Hindostanee Professor ... ..	182	10	0	
Gowan, Mrs. M., widow of late Paymaster at Dépôt ... ..	100	0	0	
Gowan, Mrs. Martha, widow of the late Lieutenant, Bombay Marine, and her two children ... ..	51	5	0	
Gowdie, Mrs., widow of late General Gowdie ... ..	200	0	0	
Grant, Mrs. M. H. ... ..	20	0	0	
Gwillim, Sir Henry, late Judge at Madras ... ..	1,000	0	0	
Godfrey, Miss S. G., daughter of Major-general, Madras Establishment	10	0	0	
Green, Mr. Ed., late Clerk, Freight Office ... ..	130	0	0	
Gibson, Mr. B. J., late Auctioneer ... ..	475	0	0	
Gardner, Mr. Robert, late Senior Clerk to Board of Control ... ..	538	6	0	
Gadderer, Mr. H., late Assistant Elder, Tea Warehouse ... ..	40	0	0	
Greenly, Mr. Ed., late Deputy Assistant Elder, Private Trade Warehouse	40	0	0	
Gray, Mrs. Mary Ann, widow of a Commander ... ..	60	0	0	
Gerrard, Captain John, late a Commander ... ..	120	0	0	
Harsant, Ann, widow of a Surveyor of Private Trade ... ..	15	0	0	
Higgins, Richard, late Extra Surveyor ... ditto ... ..	50	0	0	
Hazey, John, late an Inspector ... .. ditto ... ..	100	0	0	
Hastings, Right Honourable W., late Governor-general ... ..	4,000	0	0	
Hay, Captain Robert, late Commander of the " Astell" ... ..	400	0	0	
Hall, Mrs. M., daughter of a late Clerk, Treasury ... ..	20	0	0	
Homer, Mr. R., late Clerk, Accountant's Office ... ..	200	0	0	
Haffey, Mrs. E., widow of late 1st Assistant to Paymaster (during widowhood)	80	0	0	
Hamilton, Mrs. E., (late Black,) widow of late Colonel Black, and her four children ... ..	220	0	0	
Hitchcock, Mrs., widow of Captain Hitchcock, late Mahratta service ...	40	0	0	
Hampton, Mrs. S., widow of a late Porter ... ..	20	0	0	

# 212 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.		£.	s.	d.
OFFICERS, ESTABLISHMENTS, &c.	Hill, the three children of the late Jeremiah Hill, Clerk ... ..	30	0	0
	Holland, Mr. John, late Freight Accountant ... ..	600	0	0
	Hoole, Rev. S., Chaplain Poplar Hospital ... ..	100	0	0
Pensions, 1817.	Hudson, Mrs. Ann, widow of late Assistant Examiner, and her two daughters	300	0	0
	Hudson, Mr. Henry, late Clerk, Examiner's Office ... ..	200	0	0
	Harris, Mr. Stephen, late Madras Establishment ... ..	200	0	0
	Hurlock, Mr. P., late Clerk, Accountant's Office ... ..	80	0	0
	Heysham, Mr. E., late Lieutenant, Bengal Establishment ... ..	40	0	0
	Harvey, Mrs., late Ange, widow of late Lieutenant, Bombay Marine ...	41	5	0
	Hay, Mr. Ed. L., late Midshipman, Bombay Marine Establishment ...	30	0	0
	Hardy, Mrs. Betty, widow of late Major-general Hardy, Bengal Establish- ment ... ..	100	0	0
	Hollis, Mr. T. P., late Writer, St. Helena Establishment ... ..	100	0	0
	Hockin, Mrs., daughter of late Captain Wilson, Commander of the Antelope	50	0	0
	Hardie, Mr. D., late Elder, Bengal Warehouse ... ..	200	0	0
	Hackett, Mrs., widow of Assistant Elder ... ..	12	10	0
	Huggins, Mrs. Ann ... ditto ... ..	20	0	0
	Holbrooke, Mrs. Mary, widow of late Warehouse-keeper ... ..	200	0	0
	Hudden, Mrs., widow of late Clothworker ... ..	30	0	0
	Hall, Mrs. Honor, widow of a Commander ... ..	60	0	0
	Hardyman, Captain William A., late a Commander ... ..	120	0	0
	Hounscome, William, late Inspector of Private Trade ... ..	150	0	0
	Jennings, Mrs. Bridget, widow of occasional Inspector of Private Trade	25	0	0
	Jones, William, late Bombay Marine ... ..	4	16	0
	Jones, Mr. Edward, formerly Accountant in the department of the Military Auditor-general at Fort St. George ... ..	200	0	0
	Jones, Mr. John, late Bengal Warehouse-keeper ... ..	630	0	0
	James, Mr. Thomas, late Baggage Warehouse-keeper ... ..	100	0	0
	Kay, Mrs. Brook, widow of late Accountant at Prince of Wales' Island, and her three children ... ..	100	0	0
	Kershaw, Misses, daughters of a late Clerk in the Treasury ... ..	40	0	0
	Kennaway, Sir John, Bart., during life, for his services in negotiating several treaties in India ... ..	500	0	0
	Kingslay, Mr. Thomas, late Clerk at East-India Wharf ... ..	150	0	0
	King, Mrs. M., widow of a Clerk in the Pay Office ... ..	50	0	0
	Kenny, Mrs. M., for maintenance of her daughter, Catherine Cookesley, till 20 or married (widow of Lieutenant Thomas Cookesley, Madras Artillery)	25	0	0
	King, Captain, Madras Establishment, two children of ... ..	50	0	0
	Ley, Miss Ann, daughter of late Captain Thomas Ley ... ..	50	0	0
	Lang, Mrs. A., widow of General Lang ... ..	100	0	0
	Laland, Mr. A., late Clerk Transfer Office ... ..	200	0	0
	Lloyd, Mr. T., late Civil Servant, Bengal ... ..	105	0	0
		Laurence,		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 213

	£.	s.	d.
Laurence, Captain Alexander, His Majesty's regiment, services in India	80	0	0
Lacam, Mr., Projector of Docks, Bengal ... ..	600	0	0
Lorimer, Lieutenant, late Bombay Establishment ... ..	40	0	0
Lowe, Mrs. Elizabeth, mother of late Mr. Benjamin B. Lowe, Master of His Majesty's ship "Malacca," who lost his life ... ..	40	0	0
Loftie, Mr. A. S., late Assistant Elder Tea Warehouse ... ..	75	0	0
Lloyd, Mrs. Eliza, widow of Company's Husband, and seven daughters	240	0	0
Lowrie, Mrs. Ann, widow of A. Lowrie, Sub-Inspector of Military Stores	20	0	0
Lady Winterton, widow of a late Accountant-General ... ..	300	0	0
Leigh, Mrs. Ann, widow of a Commander ... ..	60	0	0
Lushington, Captain Thomas, late a Commander ... ..	120	0	0
Leigh, Mr. Henry, Master of a Company's packet out of employ ...	144	0	0
Meheux, Mr. J., late Assistant-Secretary to Board of Control ... ..	900	0	0
Marter, Mr. William, late Baggage Warehouse-keeper ... ..	300	0	0
Melvill, Mrs., widow of late Captain P. Melvill ... ..	25	0	0
Maitland, Mrs. M., widow of a Clerk, Secretary's Office ... ..	60	0	0
Montagu, Mrs., widow of Captain Montague ... ..	100	0	0
Maddocks, Mrs., widow of late Assistant-Secretary ... ..	100	0	0
Maxwell, Mrs., widow of Lieutenant-Colonel Maxwell, His Majesty's 19th Dragoons ... ..	300	0	0
Mead, Mrs., widow of a Clerk in the Treasury ... ..	63	0	0
Marshal, Mrs., mother of Captain Marshal, formerly in the Service of Dowlat Row Scindia ... ..	40	0	0
M'Gregor, Mrs., widow of Captain M'Gregor, Bengal Establishment, for her two sons ... ..	100	0	0
Martin, Captain J., late Bombay Establishment ... ..	100	0	0
Macure, Miss A., daughter late Surveyor Shipping ... ..	25	0	0
M'Pherson, Sir J., Bart., late Governor-general, Bengal ... ..	1,000	0	0
Martin, Mrs. E., mother of a late Messenger ... ..	30	0	0
Melville, Right Hon. Viscount, son of the late President of the Board of Control ... ..	2,000	0	0
M'Intosh, Sir James, late Recorder of Bombay ... ..	1,200	0	0
Mackeson, Captain, Commander of the ship Christiana ... ..	200	0	0
M'Carty, Mr. J., for services in the suppression of illicit trade between Bombay and New South Wales ... ..	100	0	0
Moolawy Abdool Ali, widow of Native Assistant at East-India College	25	0	0
Mitchell, Mr. Robert, late Lieutenant, Bombay Establishment ... ..	36	10	0
Morse, Mrs. M.A., widow of Captain Morse, Bombay Artillery ... ..	20	0	0
Moore, Mr. G., late extra Clerk ... ..	120	0	0
Marshall, Misses Jane and Lillias, sisters of late Captain Marshall ...	40	0	0
Mordaunt, Mr. W., Elder Coast Warehouse ... ..	200	0	0
Mounier, Mrs., widow of an Elder ... ..	40	0	0

Moore,

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
Pensions,  
1817.

# 214 FIRST APPENDIX TO THE THIRD REPORT OF THE

III. OFFICERS, ESTABLISHMENTS, &c.  Pensions, 1817.		£. s. d.		
		£.	s.	d.
	Moore, Mrs. Ann, widow of an Assistant Elder ... ..	20	0	0
	Morrison, Mr. R. T., late Elder, Coast and Surat Warehouse ...	200	0	0
	Mathison, Mrs. L., widow of a Clerk, Secretary's Office, and her four children ... ..	300	0	0
	Mathews, Mrs. Ann, widow of Assistant Elder, Tea Warehouse ...	15	0	0
	Mitchell, Mrs. Eleanor, widow of a Commander ... ..	60	0	0
	Milburn, Susan, widow of a Boatswain, Company's service ... ..	12	0	0
	Neale, Mr. J. M., late Clerk, Secretary's Office ... ..	300	0	0
	Nesbitt, Mr. E., Lieutenant Bombay Marine ... ..	45	0	0
	Nugent, Mr. E. and wife (or survivor), daughter of late Chief of the Factory at Surat ... ..	100	0	0
	Neale, the five Misses, sisters to Lieutenant-colonel George Neale ...	100	0	0
	Orme, Mrs., widow of Company's Historiographer ... ..	50	0	0
	Ogle, Mrs. C., widow of late Surgeon, Depôt Isle of Wight ... ..	20	0	0
	Owen, Mr. Richard, late Clerk, Secretary's Office ... ..	800	0	0
	Owen, Mrs. Charlotte, widow, late Clerk, Auditor's Office ... ..	60	0	0
	Prole, Mrs. Sarah, widow of a Surveyor of Private Trade ... ..	20	0	0
	Pyne, Captain A., in consideration of his sufferings in India ... ..	90	0	0
	Peart, Mr. Richard, late Clerk, Secretary's Office ... ..	300	0	0
	Paterson, Miss Elmira, daughter of late Member of Council, Bombay ...	10	0	0
	Powell, Mrs. E., widow of Captain, Bombay Marine, and her son ...	65	0	0
	Petrie, Mr. J., late Bengal Establishment ... ..	150	0	0
	Perreau, Mrs. Elizabeth, widow late Samuel Perreau, Bencoolen Establishment, and her four children ... ..	70	0	0
	Palmer, Mrs., widow of late General Palmer ... ..	150	0	0
	Pace, Mrs., widow of 1st Assistant to Master Attendant ... ..	50	0	0
	Purefoy, Capt. W. A., late 36th regiment ... ..	50	0	0
	Poole, Mrs. Sarah, widow of late Extra Surveyor ... ..	20	0	0
	Parry, Mr. George, late Elder ... ..	200	0	0
	Prenton, Mrs. Jane, widow of an Assistant Elder ... ..	25	0	0
	Pugh, Mrs. Joanna ... ditto ... ..	20	0	0
	Pierce, Mrs. Ann M., widow of a Commander ... ..	60	0	0
	Rogers, Mr. Richard, late a Surveyor of Private Trade ... ..	50	0	0
	Roberts, Mrs. Harriet, widow of a ditto ... ..	25	0	0
	Rogers, Mr. William, Inspector of Gun Barrels and Swords ... ..	70	0	0
	Raush, Mrs., widow of D. Raush, who was murdered by the Rajah of Dring ... ..	100	0	0
	Rankine, Mrs. E., widow of a Clerk, Freight office ... ..	20	0	0
	Rennell, Major J., for services in India ... ..	600	0	0
	Rous, Mrs., widow of late Company's Counsel (during widowhood) ...	200	0	0
	Ryder, Mrs., widow Paymaster Bengal army ... ..	100	0	0
	Roberts, Miss A. D., niece of late Commander of Company's Recruits at the Isle of Wight ... ..	20	0	0

Rogers,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 215

	£.	s.	d.	III. OFFICERS, ESTABLISHMENTS, &c. Pensions, 1817.
Rogers, Mr. J., late one of the Company's Packers ... ..	150	0	0	
Read, Mr. W. S., Clerk Tea Warehouse ... ..	150	0	0	
Roberts, Mrs., widow of J. Roberts, Esq., late Supercargo in China ...	200	0	0	
Roberts, Miss, sister of ditto ... ..	200	0	0	
Roebeck, Mrs., widow of a Madras Civil Servant ... ..	200	0	0	
Rockett, Mr. W., late Door-porter ... ..	16	0	0	
Rogers, Mrs. Eliza, widow late Elder East-India Wharf ... ..	15	0	0	
Rees, Mrs. Jane, widow of a Commander ... ..	60	0	0	
Riches, Captain Matthew, late a Commander ... ..	120	0	0	
Raitt, Captain Charles ... ditto ... ..	120	0	0	
Storey, Mr. J., late Major Madras Establishment ... ..	125	0	0	
Sergrove, Mr. T. C., late Clerk Accountant's Office ... ..	80	0	0	
Stewart, Mrs. J. M., widow of the Judge Advocate, Bengal ... ..	100	0	0	
Stockdale, Mrs. C., wife of a Clerk, Secretary's Office ... ..	90	0	0	
Smith, Lieutenant-Colonel G., for services in India ... ..	365	0	0	
Salmon, Mrs. M., widow, Deputy Governor, Fort Malbro' ... ..	50	0	0	
Stewart, Mrs. C. H., widow of a Purser ... ..	25	0	0	
Smith, Mrs. E., daughter of late Transfer Accountant ... ..	50	0	0	
Stevenson, Mrs. (now Francklyn), widow of Colonel Stevenson ... ..	120	0	0	
Scafe, Mrs. E., widow of Inspector of Private Trade, and her daughter	50	0	0	
Salter, Mrs., widow of Commander, Bombay Marine ... ..	41	5	0	
Shakespeare, Mr. F., late Elder, East-India Wharf ... ..	200	0	0	
Saunders, Mr. T., Assistant Tea Warehouse-keeper ... ..	1,200	0	0	
Stebbins, Mrs., widow late Clerk Accountant's Office ... ..	30	0	0	
Showers, Mrs., mother of Captain Showers, who was killed in action with the Nepaulese ... ..	70	0	0	
Shairpe, Captain N., late Bengal Establishment ... ..	100	0	0	
Scarlet, Mr. James, late Extra Clerk ... ..	150	0	0	
Smith, Mr. J., late Clerk, Shipping Office, and children ... ..	400	0	0	
Sugden, Mrs. Sarah, widow of late Clerk Tea Warehouse, and her three children ... ..	190	0	0	
Summerfield, Mrs. Eliza, widow of Assistant Elder, Pepper Warehouse	25	0	0	
Stinton, Mrs. P., widow of Assistant Elder ... ..	25	0	0	
Simpson, Mrs., widow of a Clerk, Buying Office, and two daughters ...	80	0	0	
Sansom, Mrs., widow Assistant Elder, Private Trade Warehouse ... ..	25	0	0	
Stewart, Mrs. B., widow late Clerk, Pay Office ... ..	30	0	0	
Sutton, Mrs., widow of a late Cloth-drawer ... ..	70	0	0	
Sharp, Mrs. Sarah, widow of a Commander ... ..	60	0	0	
Skottowe, Mrs. Ann ... ditto ... ..	60	0	0	
Samson, Captain John B., late Commander ... ..	120	0	0	
Sherwood, T., late a Surveyor of Private Trade ... ..	50	0	0	
Taylor,				

# 216 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.				£.	s.	d.
OFFICERS, ESTABLISHMENTS, &c.	Taylor, Mrs. E., daughter late Clerk, Auditor's Office	...	...	15	0	0
	Thomkins, Mr. W., late Deputy Master Attendant, Calcutta	...	...	450	0	0
	Thompson, Mrs. R., widow Clerk, Accountant's Office	...	...	80	0	0
Pensions, 1817.	Thorne, Mr. J. S., late Clerk, Freight Office	...	...	150	0	0
	Thomas, Mrs. E. A., widow Assistant Surgeon, Bombay Establishment	...	...	50	0	0
	Torriano, Captain, (four children of the late Captain Torriano)	...	...	100	0	0
	Taylor, Mr. James, late Assistant Elder, Private Trade Warehouse	...	...	40	0	0
	Vaughan, Mr. B., late Elder Tea Warehouse	...	...	200	0	0
	Viel, Mr. J. B., late Clerk, Buying Office	...	...	54	12	0
	Wilks, Mrs. J., widow Registrar Indian Records	...	...	60	0	0
	Wilks, Mrs. M., widow Registrar Indian Books	...	...	60	0	0
	Winbolt, Mr. W., late Clerk, Transfer Office	...	...	50	0	0
	Wellesley, the Most Noble the Marquis of, late Governor-General	...	...	5,000	0	0
	Warden, Mrs. E. R., widow Senior Merchant Bombay	...	...	100	0	0
	Williams, Mrs., widow Clerk, Secretary's Office	...	...	30	0	0
	Winter, Mr. G., late Pilot, Bengal	...	...	100	0	0
	Williams, Mrs. S., widow of a late Director	...	...	200	0	0
	Woodmeston, Mr., late Company's Packer	...	...	150	0	0
	Walter, Mrs. A., widow of a Bengal Civil Servant	...	...	60	0	0
	Webber, Mr. W., late Senior Merchant, Bengal	...	...	200	0	0
	Wilkinson, Rev. J. J., late Chaplain, St. Helena	...	...	105	0	0
	Wyatt, Mrs. Mary, daughter late Governor, Fort Marlbro'	...	...	50	0	0
	Wales, Mrs., widow of late Captain Bombay Marine, and her five children	...	...	160	0	0
	Wright, Mr. George, late Extra Clerk, Military Secretary's Office	...	...	50	0	0
	Wilson, Mrs. Abigail, widow of a Lieutenant St. Helena Artillery, and her three children	...	...	83	0	0
	Wiss, Mrs. M. A., widow of an Inspector of Silk	...	...	100	0	0
	Webb, Mrs., widow of Lieutenant-Colonel Webb, and five children	...	...	150	0	0
	West, Mr. W., late Commodore of the Watchmen	...	...	40	0	0
	Watkins, Mr. T., late Elder Assistant Private Trade Warehouse	...	...	35	0	0
	Webber, Mr., late Officer Company's ship "Discovery"	...	...	50	0	0
	Wissett, Mr. R., late Clerk, Committee of Warehouses	...	...	1,020	0	0
	Wright, Mr. Basil, late Elder, Tea Warehouse	...	...	200	0	0
	Wissett, Mrs. Catherine, widow of an Assistant Elder	...	...	40	0	0
	Williams, Mrs. Letitia, ... ditto	...	...	40	0	0
	Wheeler, Mrs. P., ... ditto	...	...	25	0	0
	Workman, Mrs. Sarah, widow of late Cloth-drawer	...	...	70	0	0
	Wall, Mrs. Ann, widow of a Commander	...	...	120	0	0
	Wildman, Mr. J. R., late a Surveyor of Private Trade	...	...	30	0	0
	Whittington, Mr. J., late a Waterman	...	...	35	0	0
	Woodfield, Mrs. Mary, widow of a Surveyor of Private Trade	...	...	25	0	0

Wood,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 217

	£.	s.	d.	III. OFFICERS, ESTABLISHMENTS, &c. Pensions, 1817.
Wood, Mrs. Elizabeth, widow of Surveyor of Private Trade ... ..	20	0	0	
Young, Mr. Joseph, late a Waterman ... ..	20	0	0	
Young, Mrs. Mary, widow of a late Elder ... ..	15	0	0	
Sundry Pensions from the Company's cash to Soldiers and others, paid in the department of the Military Fund Paymaster ... ..	442	5	10	

## Appendix, No. 35.—(continued.)

### PENSIONS, 1st May 1827.

	£.	s.	d.	Pensions, 1827.
AGNEW, Major-general, the daughter of ... ..	20	0	0	
Adams, Mrs. F., widow of a Clerk Examiner's Office, and her two daughters ... ..	120	0	0	
Annis, Mrs. S., widow of an Extra Clerk ... ..	25	0	0	
Adney, Mrs. C. ... ditto ... ..	30	0	0	
Atkinson, Mr. John, late Clerk in the Treasury ... ..	500	0	0	
Aldridge, Mr. Thomas, late Clerk Accountant's Office ... ..	600	0	0	
Andrews, Mrs. Jane, widow of a Porter ... ..	20	0	0	
Addison, Misses, the two sisters of late Major, Madras Establishment ... ..	50	0	0	
Andrew, Dr. James, late Head Master Military Seminary ... ..	200	0	0	
Adkins, Mrs. Elizabeth, widow of Captain Adkins ... ..	60	0	0	
Armstrong, Misses, the two daughters of late Captain Armstrong, Bombay Establishment ... ..	60	0	0	
Arrow, the two children of late Captain Arrow ... ..	50	0	0	
Alcock, Lieut.-Col. C. R., Madras Establishment ... ..	50	0	0	
Albert, Lieut. H., late ... ditto ... ..	100	0	0	
Agar, Mr. M. late an Elder ... ..	100	0	0	
Baker, T. E., late Assistant Auditor, the daughter of ... ..	40	0	0	
Barclay, Mrs. A., widow of late Member of Council, Madras ... ..	60	0	0	
Byron, Captain, the two children of, for life, for his services in India ... ..	100	0	0	
Bell, Dr. A., late Chaplain Madras Establishment ... ..	200	0	0	
Bird, Mrs. Ann Elizabeth, widow of a Senior Merchant Bengal Establishment ... ..	100	0	0	
Beatson, Major General A., for services in India ... ..	400	0	0	
Billamore, Mrs. Catherine, widow of an Officer Bombay Marine ... ..	68	8	9	
Blows, Miss S., niece late Commander Recruits, Isle of Wight ... ..	20	0	0	
Bellasis, Mrs. Mary, widow of a Clerk Examiner's Office ... ..	50	0	0	
Bell, Mr. William, late Clerk Auditor's Office, the daughter of ... ..	10	0	0	
Baildon, Mrs. Isabella, widow of a Surgeon St. Helena Establishment, and her three children ... ..	143	8	9	
2 F				Baillie,



**OFFICERS,  
ESTABLISHMENTS,  
&c**

### Pensions, 1827.

	£.	s.	d.
Baillie, Mr. William, late Writer Bombay Establishment	120	0	0
Borthwick, Mrs. L., widow of a Lieutenant	100	0	0
Bridge, Rev. B., late Professor East-India College	200	0	0
Bayley, Mrs. Elizabeth, widow of a Porter	10	0	0
Burt, Mr. Robert, late Extra Clerk	50	0	0
Browne, Mr. Bartholomew, late Chief Buying Office	800	0	0
Barnes, Mr. William, late Extra Clerk	63	0	0
Burford, Miss, daughter of late Clerk Pay Office	30	0	0
Blair, Mr. George, late Elder	200	0	0
Benn, Mr. William, ditto Tea Warehouses	200	0	0
Bye, Mr. Thomas, late Clerk Accountant's Office, and his wife	300	0	0
Busby, Mr. Henry, late Extra Clerk, Treasury	140	0	0
Bryant, Mrs. Mary, widow Surveyor Private Trade	30	0	0
Bannerman, Mrs. Anne, widow Governor P. W. Island	200	0	0
Bannerman, Miss Auguste, daughter of ditto	100	0	0
Browne, Mr. Thomas, late Surveyor of Private Trade	75	0	0
Barlow, Sir George H. Bart., Governor-General Bengal, and other important stations	1,500	0	0
Barnard, Mr. R. M., Assistant Coast Warehouse-keeper	1,000	0	0
Bosanquet, Mr. A. Henry, late Civil Service, Bengal	200	0	0
Burroughs, Sir William, late Judge at Bengal	1,500	0	0
Breame, Mr. T. R., junior, late Assistant to Company's Farmer at St. Helena	60	0	0
Bone, Mr. James, late Clerk, Treasury	400	0	0
Burton, Mr. Joshua, late Surveyor Private Trade	75	0	0
Baynes, Mrs. Johanna, widow of a Chaplain Bombay Establishment	15	0	0
Breame, Mr. T. R., senior, late Company's Farmer at St. Helena	150	0	0
Beattie, Mr. David, late Assistant-surgeon Bengal Establishment	100	0	0
Basden, Mrs. F., widow of the late Captain Gorman	45	0	0
Buttivant, Mrs. Ann, widow of an Overlooker of cloth	100	0	0
Bartholomew, Mr. Peter, late Deputy-assistant Elder	70	0	0
Bishop, Mrs., widow of late Clerk in Tea Warehouse, and children	110	0	0
Braham, Mrs., widow of late Acting-governor, Bencoolen	100	0	0
Besley, Mr. John, late Lieutenant Madras Establishment	45	0	0
Bayley, Captain John, late Bombay Establishment	100	0	0
Ball, Mr. James H., late Clerk Freight Office	450	0	0
Barrett, Mr. Matthew, late Hoymaster	100	0	0
Baldwin, Mrs., widow of Consul-general in Egypt	50	0	0
Barnes, Rev. George, late Archdeacon, Bombay	800	0	0
Brown, Mrs. Janet, mother of late Captain Brown	30	0	0
Burney, Lieutenant James C., late Bengal Establishment	100	0	0
Brewer, Mrs., daughter of late Superintendent of St. Helena Correspondence	40	0	0

Brooke,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 219

	£.	s.	d.
Brooke, Mr. John, late Deputy-assistant Elder ... ..	70	0	0
Briscoe, Mr. William, late Inspector of Private Trade ... ..	150	0	0
Brindle, Mrs. A., (and child), widow of an Assistant Elder ... ..	18	0	0
Burford, Mrs. L., widow of a late Clerk Committee of Buying ... ..	200	0	0
Burford, Mrs. Hannah, widow Clerk Pay Office ... ..	200	0	0
Bate, Mr. R., late Deputy-assistant Elder Private Trade Warehouse ... ..	35	0	0
Basnet, Mr. E., son of a late private Trade Warehouse-keeper ... ..	54	12	0
Black, Mrs. E., widow of a Cloth-drawer ... ..	20	0	0
Burges, Mrs. Mary, widow of a Commander ... ..	98	0	0
Blachford, Mrs. Ann ... .. ditto ... ..	150	0	0
Burt, Mrs. Jane ... .. ditto ... ..	150	0	0
Burgess, Captain William, late a Commander ... ..	200	0	0
Baynes, Captain William, ... ditto ... ..	200	0	0
Bignold, John, late Bombay Marine ... ..	4	16	0
Bailey, John, late "Dispatch" cutter ... ..	40	0	0
Bently, J., late Seaman Bombay Marine ... ..	13	13	9
Collin, Mrs. Sophia, widow of an Extra Clerk ... ..	25	0	0
Cruikshank, Mrs. Eliza, widow of a Surgeon St. Helena Establishment, and her son ... ..	70	12	4
Cockburn, Mrs. E. (late Davies) widow of a late Serjeant-major, Madras	80	0	0
Charters, Mrs. K., widow of a Civil Servant Bengal ... ..	100	0	0
Casement, Mrs., widow of a Surgeon Bengal Establishment ... ..	50	0	0
Corsellis, Mrs. H., widow of a Civil Servant Bencoolen ... ..	50	0	0
Cuninghame, Sir James M., Bart. late Inspector Military Stores ... ..	750	0	0
Craggs, Mr. James, Assistant Groom Company's Stud, Padnalls ... ..	13	0	0
Cawood, Mr. Joseph, late Clerk Secretary's Office ... ..	130	0	0
Crauford, Mrs. E., daughter of a late Clerk Accountant's Office ... ..	20	0	0
Collingwood, Mr. C., late Clerk Freight Office ... ..	425	0	0
Compton, Mr. T., late ... ditto ... ditto ... ..	100	0	0
Coggan, Captain J., late Master Attendant ... ..	400	0	0
Clarke, Mr. Richard, late Clerk Coast Warehouse ... ..	370	0	0
Chappell, Mr. Roger, late Assistant Private Trade Warehouse ... ..	65	0	0
Crout, Mrs., widow late Head-surgeon St. Helena ... ..	30	0	0
Cobb, Mr. J. B. B., Chief of the Bullion Office ... ..	560	0	0
Cookesley, Miss, daughter of Lieutenant Cookesley ... ..	25	0	0
Cook, Mr. Josh. late Surveyor of Private Trade ... ..	75	0	0
Cuzons, Mrs. Sarah, widow of late, ditto ... ..	25	0	0
Chaillie, Misses Lydia and Susan, daughters of a late Book-keeper at the East-India Wharf ... ..	65	0	0
Crowther, Mr. Robert, late Lieutenant and Brevet Captain ... ..	45	0	0
Christie, Capt. C., late Commander in the Company's Service, and his three children ... ..	110	0	0

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
—  
Pensions,  
1827.

## FIRST APPENDIX TO THE THIRD REPORT OF THE

## Pensions, 1827.

	£.	s.	d.
Cumming, Mr. James, late Senior Clerk, India Board	866	0	0
Cutcliffe, Lieutenant, late Madras Establishment	100	0	0
Churchill, Mr. Charles W., late Clerk Pay Office	420	0	0
Clark, Mrs. Catherine, late Assistant Housekeeper	45	0	0
Cook, Mr. John, late Messenger	60	0	0
Charlton, Lieutenant Henry, late Bengal Establishment	50	0	0
Collyer, Mr. N., late St. Helena Establishment	30	0	0
Colson, Mrs. Ann, widow of late Deputy Paymaster of Seamen's Wages	80	0	0
Cattlin, Mr. W., late one of the Company's Packers	50	0	0
Cameron, Mrs. Josepha E., widow of a Commander	150	0	0
Carruthers, Captain Walter, late a Commander	200	0	0
Cumberlege, Mrs. Ann, wife of a Commander, and four children	180	0	0
Crowdice, Christopher, Carpenter of a Ship in Company's service	9	12	0
Dinning, Mrs. Eliza, widow of Civil Servant Bencoolen	50	0	0
Davison, Mrs. widow Clerk Examiner's Office	75	0	0
Dalmeida, Mr. William, late Clerk Secretary's Office	600	0	0
Denton, Mrs. Mary, widow of a late Commander	20	0	0
Druce, Mr. R. A., late Clerk Freight Office	600	0	0
Dominicus, Mr. George, late Company's Husband	650	0	0
Dunn, Mr. John H., late Writer St. Helena Establishment	50	0	0
Dumas, Mr. Henry, late Lieutenant Madras Establishment	91	5	0
Durand, Mr. Charles, late Clerk Coast Warehouse	393	6	8
Dance, Sir N., for his gallant defence of the China fleet against Linois' squadron	500	0	0
Donaldson, Miss Margaret, daughter of late Assistant Elder	40	0	0
Davis, Mrs. Catherine, widow of a late Surgeon	25	0	0
Dow, Lieutenant Archibald, late Bengal Establishment	45	0	0
Dubois, the Abbé, late Missionary in India	100	0	0
Dixon, Mr. John, late Inspector of Private Trade	150	0	0
Dodge, Mr. Peter, late Hospital Steward, Bombay	22	16	0
Downes, Mr. William, late Deputy Assistant Elder	50	0	0
Dickinson, Mr. Henry, late Bengal Warehouse-keeper	1,400	0	0
Dodwell, Mr. Henry, late Clerk Accountant's Office	500	0	0
Davis, P., late Doorkeeper	48	15	0
Downing, Mrs.	4	16	0
Eley, Mr. C. F., late Master of the Band of R. E. I. Volunteers	25	0	0
Ely, Mr. George, late Extra Clerk Secretary's Office	75	0	0
Emblen, Mr. William, late Conductor of Ordnance, Bengal Establishment	18	5	0
Elkin, Mr. E., late Lieutenant, Bengal Establishment	45	0	0
East, Sir Edward Hyde, late Judge Supreme Court, Bengal	1,300	0	0
Earle, Mrs. widow late Paymaster Company's Depot	100	0	0

**Estall,**

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 221

	£.	s.	d.
Estall, Mr. Thomas, late a Waterman ... ..	35	0	0
Everett, Mr. John, late Deputy Assistant Elder ... ..	45	0	0
Edwards, Mrs. A., widow Examiner of Military Stores ... ..	20	0	0
Eckford, Mrs. Robina, widow of a Commander ... ..	71	11	8
Ellis, W., late Seaman, Bombay Marine ... ..	14	3	6
Exall, Mrs. A., wife of an Extra Clerk ... ..	25	0	0
Fraser, Mr. J., late Civil Servant Bengal ... ..	105	0	0
Fraser, Mrs., widow late Major-general Fraser ... ..	200	0	0
Fancourt, Mrs., widow of late Col. Fancourt, H.M.'s 34th reg., and her daughter ... ..	150	0	0
Fitzroy, Honourable F., late Madras Establishment ... ..	200	0	0
Fullerton, Mrs., widow late Colonel Fullerton ... ..	200	0	0
Fletcher, Mr. Charles, late Ensign, on account of mental derangement ... ..	70	0	0
Flinley, Mrs. S., widow late Porter ... ..	40	0	0
Ford, Mrs. S., widow late Extra Clerk ... ..	25	0	0
Foligny, Monsieur de, late French Master East-India College ... ..	120	0	0
Frost, Mr. P., late Pepper Warehouse-keeper ... ..	600	0	0
Ferguson, Misses, three daughters of late Surveyor of Shipping ... ..	150	0	0
Forssteen, Mr. William, late Military Fund Paymaster ... ..	576	13	4
Fleming, Mrs., widow late Colonel, Bengal Establishment ... ..	100	0	0
Fagan, Mrs., widow late Colonel Fagan, and her six children ... ..	280	0	0
Furze, Mrs., widow late Clerk Secretary's Office ... ..	30	0	0
Foley, Mrs. E., widow late Lieutenant Bombay Marine ... ..	41	5	0
Farrer, Lieutenant L., late Bengal Establishment ... ..	100	0	0
Forbes, Mr. Gordon, late Civil Servant Bengal ... ..	200	0	0
Francklyn, Mrs., widow late Lieut.-general Stevenson, Madras Establishment ... ..	300	0	0
Fell, Mrs. S., mother of the late Captain E. Fell, Bengal ... ..	50	0	0
Ford, Mrs. E. M., widow late Lieut.-colonel, Bengal Establishment ... ..	200	0	0
Fetherstonehaugh, Mr. C. S., late Private Trade Warehouse-keeper ... ..	200	0	0
Foreman, Mr. Richard, late Clothdrawer ... ..	50	0	0
Griffiths, Mr. J., late Senior Merchant Bencoolen Establishment ... ..	260	0	0
Gourlay, Major, late Madras Establishment ... ..	136	17	4
Gabagan, Mrs. L., widow late Surgeon, Madras Establishment ... ..	100	0	0
Gilchrist, Dr. J. B., late Professor, Bengal ... ..	302	10	0
Gowdie, Mrs., widow of late General Gowdie ... ..	200	0	0
Gowan, Mrs. M., widow of late Lieut., Bombay Establishment, and her two children ... ..	51	5	0
Grant, Mrs. M. H., for her son's services in India ... ..	20	0	0
Gwillim, Sir Henry, late a Judge at Madras ... ..	1,000	0	0
Graft, Misses, the five sisters of Lieutenant and Adjutant Grant ... ..	50	0	0

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
Pensions,  
1827.

Guy,

# 222 FIRST APPENDIX TO THE THIRD REPORT OF THE

III. OFFICERS, ESTABLISHMENTS, &c.  Pensions, 1827.							£.	s.	d.
Guy, Mr. John, late Doorkeeper	...	...	...	...	...	...	225	0	0
Gillett, Mrs. E., widow of an Assistant Surveyor of Shipping	...	...	...	...	...	...	100	0	0
Gardner, Mr. S., late one of the Company's Packers	...	...	...	...	...	...	150	0	0
Green, Mr. Edward, late Clerk Freight Office	...	...	...	...	...	...	130	0	0
Gibson, Mr. B. G., late Auctioneer, his four children	...	...	...	...	...	...	80	0	0
Godfrey, Misses, two daughters of Major-general Godfrey	...	...	...	...	...	...	20	0	0
Gell, Lieutenant, Bombay Establishment, his daughter	...	...	...	...	...	...	10	0	0
Gowan, Mrs. Mary, widow of late Lieutenant and Paymaster at Depôt	...	...	...	...	...	...	100	0	0
Gear, Mr. R., late Company's Husband	...	...	...	...	...	...	800	0	0
Gillespie, Lieut.-Colonel, late Commander at the Depôt, Chatham	...	...	...	...	...	...	440	0	0
Gibson, Mr. R. B., late Senior Clerk Board of Control	...	...	...	...	...	...	650	0	0
Goddard, Mrs. Catherine, widow of Captain Goddard, Bombay	...	...	...	...	...	...	15	0	0
Gibson, Mr. Edward, late Extra Clerk	...	...	...	...	...	...	80	0	0
Gore, Mr. Henry, late Clerk Committee of House	...	...	...	...	...	...	550	0	0
Gough, Mrs. Ann, widow of Surveyor of Private Trade, and five children	...	...	...	...	...	...	45	0	0
Gosley, Mrs. L. D., widow of Lieutenant, Bombay Marine	...	...	...	...	...	...	41	5	0
Gribble, Mr. Robert, late Sealer of Stores	...	...	...	...	...	...	100	0	0
Greenwollers, Mr. C., late Extra Clerk	...	...	...	...	...	...	100	0	0
Gabb, Mrs. Mary, widow of Captain, Bengal Establishment	...	...	...	...	...	...	100	0	0
Godin, Mr. B., late Deputy Assistant Elder	...	...	...	...	...	...	50	0	0
Gadderer, Mr. H., late Assistant Elder, Tea Warehouse	...	...	...	...	...	...	40	0	0
Greenly, Mr. E., ... ditto Private Trade ditto	...	...	...	...	...	...	40	0	0
Gray, Mrs. Mary Ann, widow of a Commander, and two children	...	...	...	...	...	...	190	0	0
Hughes, Mrs. M., for services rendered by her husband	...	...	...	...	...	...	109	4	0
Harris, Mr. S., late Madras Civil Establishment	...	...	...	...	...	...	200	0	0
Hamilton, Mrs. widow of Colonel Black, Bengal Establishment	...	...	...	...	...	...	100	0	0
Hampton, Mrs. S., widow of a Porter	...	...	...	...	...	...	20	0	0
Hudson, Mrs. Ann, widow of late Assistant Examiner, and her two daughters	...	...	...	...	...	...	300	0	0
Harvey, Mrs., widow of a Lieutenant Bombay Marine	...	...	...	...	...	...	41	5	0
Hay, Mr. Edward S., late Bombay Marine	...	...	...	...	...	...	30	0	0
Hardy, Mrs. B., widow of late Major-general, Bengal Establishment	...	...	...	...	...	...	100	0	0
Hollis, Mr. S. P., late Writer, St. Helena Establishment	...	...	...	...	...	...	100	0	0
Hooken, Mrs., daughter of Captain Wilson, Commander of the Antelope	...	...	...	...	...	...	50	0	0
Holmes, Sir George, the three daughters of	...	...	...	...	...	...	75	0	0
Home, Mr. W., late of the Company's Stud	...	...	...	...	...	...	50	0	0
Howarth, Captain, late Bengal Establishment, three children of	...	...	...	...	...	...	75	0	0
Hardy, Mr. James, late Messenger at Board of Contr	...	...	...	...	...	...	133	6	8
Homer, Mr. R., late Clerk Accountant's Office	...	...	...	...	...	...	200	0	0
Hurlock, Mr. P., late Clerk Accountant's Office	...	...	...	...	...	...	80	0	0
Hedges, Mr. Henry ... ditto	...	...	...	...	...	...	740	0	0
Hay, Captain Robert, late Commander of the " Astell" severely wounded	...	...	...	...	...	...	400	0	0
Hardie, Mr. D., late Elder Bengal Warehouse	...	...	...	...	...	...	200	0	0

Hudson,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 223

	£.	s.	d.	III. OFFICERS, ESTABLISHMENTS, &c. Pensions, 1827.
Hudson, Mr. Henry, late Clerk Examiner's Office, and his wife	200	0	0	
Harrop, Mr. James, late Extra Clerk	192	0	0	
Halhed, Mr. N., late Assistant Secretary Examiner's Office	500	0	0	
Head, Miss Frances, daughter of an Extra Clerk	15	0	0	
Howley, Mrs. R., widow of a Lieut.-Colonel, Madras	70	0	0	
Hodson, Mrs. A., widow of Captain Hodson, St. Helena Establishment, and two children	120	0	0	
Hamilton, Mr. William, late Sub-inspector Military Stores	60	0	0	
Hounscome, Mrs., widow of Inspector of Private Trade	25	0	0	
Hall, Miss A. M., daughter of a late Commander	50	0	0	
Hay, Captain James, late Commander of the "Astell"	120	0	0	
Hockley, Mr. William, Overlooker of Cloth	40	0	0	
Huish, Mrs. C., wife and mother of Extra Clerks	20	0	0	
Heaford, Mr. Thomas, late Surveyor of Private Trade	30	0	0	
Hayton, Mr. George, late Clerk Private Trade Warehouse	180	0	0	
Hill, Mr. Samuel, late Sealer of Stores	100	0	0	
Himing, the two Misses, daughters of a late Major, Madras Establishment	40	0	0	
Holmes, Mr. John, late Messenger Board of Control	100	0	0	
Hockley, Mr. William B., late Bombay Civil Service	150	0	0	
Hailes, Mrs. R., widow of an Inspector of Private Trade	30	0	0	
Hyde, Mr. James C., late Clerk Accountant's Office	900	0	0	
Hope, David, late Company's Waterman	30	0	0	
Hagartye, Mrs. J., widow of a Surgeon, St. Helena Establishment	30	0	0	
Herman, Mrs. S., late Mistress Orphan School, Calcutta	50	0	0	
Huggins, Mrs. A., widow of an Assistant Elder	20	0	0	
Hudden, Mrs., widow of a late Clothdrawer	45	0	0	
Hardyman, Captain William A., late a Commander, and one child	220	0	0	
Hay, Captain Robert, ditto for his three children	60	0	0	
Hardy, Thomas, late Bombay Marine	12	0	0	
Hatten, John, late Master of a Pilot Sloop	120	0	0	
Jones, Mr. Edward, formerly Accountant at Fort St. George	200	0	0	
Jackson, Mr. William, late Registrar of Records	333	0	0	
Jones, Mr. John, late Assistant Bengal Warehouse-keeper	630	0	0	
Jennings, Mr. James, late Company's Gardener, St. Helena	50	0	0	
Jackson, Mr. William, late Madras Civil Servant	200	0	0	
Jennings, Mrs. B., widow of late Surveyor Private Trade	25	0	0	
Jarman, Mr. William, late Company's Waterman	35	0	0	
Jellicoe, Mr. Adam, late Lieutenant Bombay Establishment	30	0	0	
Jones, Mr. J. V., late Extra Clerk	130	0	0	
Jardine, Mr. Edward, late Lieutenant Madras Establishment	45	0	0	
Jones, Mr. B. H., late Clerk Board of Control	366	0	0	
Jones, Mr. Charles, late Extra Clerk	70	0	0	
	James,			

**Pensions,  
1827.**

	£.	s.	d.
James, Mr. T., late Baggage Warehouse-keeper	100	0	0
Jenkins, Captain Thomas, late a Commander, and four children	280	0	0
Kennaway, Sir John, Madras Establishment, for services in India	500	0	0
Kincaid, Mrs. Ann, widow of a Surgeon, Madras Establishment	40	0	0
Kirkham, Mr. William, late Elder East-India Wharf	175	0	0
Kingslay, Mr. Thomas, late Clerk ditto	150	0	0
Kershaw, Misses, two daughters of late Clerk, Treasury	60	0	0
Kingston, Mr. James S., late Clerk Secretary's Office	120	0	0
Kay, Mr. John, late St. Helena Establishment	150	0	0
Kelly, Mrs. Ann, widow of a Major ditto	32	0	0
Kyan, Captain J. H., late Bengal Cavalry Establishment	150	0	0
Kerr, Mrs., widow of a Lieutenant-General Bombay Establishment	150	0	0
Lodge, Mr. Henry, late Civil Servant Bengal Establishment	150	0	0
Lang, Mrs. A., widow of General Lang	100	0	0
Lloyd, Mr. T., Civil Service, Bengal	105	0	0
Lawrence, Lieutenant-Colonel Alexander, His Majesty's Regiment serving in India	130	0	0
Lacam, Mrs., widow late Projector of Docks, Bengal	600	0	0
Lane, Mr. Robert, late Clerk Board of Control	250	0	0
Lloyd, Mr. John, late Clerk Secretary's Office	600	0	0
Lalande, Mr. A., late Clerk Transfer Office	200	0	0
Lea, Mr. George, late Surveyor Private Trade	75	0	0
Lawson, Mrs. Elizabeth, widow of a Factory Steward at Canton	20	0	0
Le Gros, Mr. Richard, late Assistant Clerk Committee of Shipping	600	0	0
Lee, Mr. Samuel James, late Purser Company's Service, and three Children	60	0	0
Lynn, Mr. Thomas, late Master of the Ship "Barkworth"	200	0	0
Lamb, Mr. Charles, late Clerk Accountant's Office	450	0	0
Locke, Mr. Henry S., late Civil Servant, Bencoolen	105	0	0
Law, Mr. Jos., late Assistant Surgeon, Madras Establishment	100	0	0
Lumsden, Dr. M., late Professor, Bengal	200	0	0
Lee, Mrs., wife late Clerk Freight Office, and Children	350	0	0
Lloyd, Mrs. E., widow of Company's Husband, and seven Daughters	290	0	0
Lourie, Mrs. A., widow of an Examiner of Military Stores	20	0	0
Lady Winterton, widow of a late Accountant-General	300	0	0
Leigh, Mrs. Ann, widow of a Commander	120	0	0
Leigh, Mr. Henry, Master of a Company's Packet out of employ	144	0	0
Montague, Mrs., wife of Captain Montague	100	0	0
Maxwell, Mrs., widow of Lieutenant-Colonel Maxwell	300	0	0
Meheux, Mr. J., late Assistant Secretary to Board of Control	900	0	0
Melville, Mrs., widow of Mr. P. Melville, late a retired Captain of Invalids	25	0	0
Martin, Captain J. late Bombay Establishment	100	0	0
Mackintosh, Sir James, late Recorder, Bombay	1,200	0	0
Mackintosh			

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 225

	£.	s.	d.
Mackintosh, Sir James, East-India College, late Professor...	200	0	0
M'Carthy, Mr. J., for Services in the suppression of illicit trade between Bombay and New South Wales	100	0	0
Mitchell, Mr. Robert, late Lieutenant-Colonel, Bombay Establishment	36	10	0
Marshall, Misses, two Sisters of late Captain Marshall	40	0	0
Morse, Mrs. M. A., widow of Captain, Bombay Artillery	20	0	0
Mackenzie, Rev. John (father of Captain M.), and wife, killed at Mallia	50	0	0
Marter, Mr. William, late Baggage Warehouse-keeper	300	0	0
Maitland, Mrs. M., widow of Clerk Secretary's Office	60	0	0
Mead, Mrs. E. ... ditto ... Treasury	63	0	0
Moolawy Abdool Ali, widow of a Native Assistant at the East-India College	25	0	0
Medley, John W., late Clerk Accountant's Office	65	0	0
Mackeson, Captain, late Commander of the ship "Christiana"	200	0	0
Manesty, Mr. Jos., son of late Madras Civil Servant	100	0	0
Munbee, Mr. Valentine, late Captain, Bombay Establishment	70	0	0
M'Gregor, Mrs. C. W., widow of Captain M'Gregor, Bengal	200	0	0
Moore, Mrs. Elizabeth, widow of an Extra Clerk	50	0	0
M'Leod, Misses, two sisters of the late Captain M'Leod	40	0	0
Mordaunt, Mr. George, sen., late Coast Warehouse-keeper	1,000	0	0
Medland, Mr. Henry, late Cadet, Bengal Establishment	30	0	0
Montgomery, Mr. J. A., late Lieutenant, Bombay	45	0	0
Mordaunt, Mr. George, jun., late clerk, Coast Warehouse	500	0	0
Mallory, Mr. Daniel, jun., late Assistant Elder, Bengal Establishment	70	0	0
Malbon, Mr. William, late Clerk Secretary's Office	456	0	0
M'Manus, Mr. John, late Serjeant in His Majesty's Service	25	0	0
Mack, Mrs. Catherine, widow of Captain, Bombay Marine	41	5	0
Mignan, Mrs. Margaret, daughter of a Lieutenant-Colonel, Bombay Establishment	90	0	0
M'Gregor, Mr. R. S., late Lieutenant, Bengal Establishment	30	0	0
M'Murdo, Mrs. Ann, mother of a Captain, Bombay Establishment	70	0	0
Middleton, Mrs. E., widow of late Bishop of Calcutta	200	0	0
Minns, Martin, late Porter Accountant's Office	73	0	0
Malcolm, Sir John, late Major-General, Madras Establishment	1,000	0	0
Medley, Mr. George, late Clerk Accountant's Office	650	0	0
Masterman, Mr. William, late Company's Waterman	35	0	0
M'Ritchie, Mr. T., late of St. Helena	36	10	0
M'Pherson, Mrs. M. C., daughter of a civil servant, Bengal Establishment	100	0	0
Morgan, Mr. P. P., late Captain, Bengal Establishment	90	0	0
Macnaghten, Sir T. W., late Judge, Bengal	1,500	0	0
Mayo, Lieutenant T. C., late Madras Establishment	100	0	0
Mounier, Mrs., widow of an Elder	40	0	0

2 G

Moore,

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
—  
Pensions,  
1827.



# 203 FIRST APPENDIX TO THE THIRD REPORT OF THE

III.		£.	s.	d.
OFFICERS, ESTABLISHMENTS, &c.	Moore, Mrs. A., widow of an Assistant Elder	20	0	0
	Mathison, Mrs. L., widow Clerk Secretary's Office, and her two children	250	0	0
Pensions, 1827.	Matthews, Mrs. A., widow of an Assistant Elder Tea Warehouse	15	0	0
	Mitchell, Mrs. Eleanor, widow of a Commander and two children	190	0	0
	Milburn, Susan, widow of Boatswain in Company's service	12	0	0
	Nugent, Mr. E. (and his wife) son-in-law of late Chief of the Factory at Surat	100	0	0
	Nugent, Mr. late Captain, Bombay Establishment	40	0	0
	Neale, Misses, four sisters of late Lieutenant-Colonel George Neale	100	0	0
	Neale, Mr. J. M., late Clerk, Secretary's Office, three daughters of	60	0	0
	Neale, Mrs. Sarah, widow ditto	100	0	0
	Nash, Captain A., Commander of "Marchioness of Exeter," and his five children	160	0	0
	Nind, Mr. Benjamin, late Clerk Coast and Surat Warehouse	540	0	0
	Owen, Mrs. Charlotte, widow of Mr. G. Owen, Clerk Auditor's Office	100	0	0
	Oswald, Mr. Henry, late Sub-inspector Military Stores	120	0	0
	Ogilvie, Mr. William, late Writer, Bombay Establishment	100	0	0
	Pyne, Captain A., late H. M.'s 102d regiment, on account of his sufferings in India	90	0	0
	Powell, Mrs. E., widow of a Captain, Bombay Marine	45	0	0
	Palmer, Mrs., widow of General Palmer	150	0	0
	Perreau, Mrs. Elizabeth, widow of Samuel Perreau, Bencoolen Establishment, and her two daughters	50	0	0
	Parsons, Mr. William, late Extra Clerk	50	0	0
	Pace, Mrs., widow of 1st Assistant to Master Attendant	50	0	0
	Pond, Mr. John, late Clerk Buying Office	280	0	0
	Probin, Mr. Thomas, late Deputy-Assistant Elder Private Trade Warehouse	35	0	0
	Paynter, Mrs., sister of Captain Vaughan, Madras Establishment	50	0	0
	Phipps, Mrs. M., widow of Civil Servant Prince Wales Island, and for her son	100	0	0
	Paterson, Mr. George, late Deputy Accountant-General	1,200	0	0
	Plenderleath, Misses, three sisters of Officers in His Majesty's and the Company's service	20	0	0
	Poole, Mr. Charles, late Clerk, Board of Control	330	0	0
	Parsons, Mr. George, late Messenger to ditto	133	0	0
	Parrock, Mr. Stephen, late Madras Medical Establishment	100	0	0
	Powell, Mr. W. E., late Clerk Military Secretary's Office	200	0	0
	Palk, Mrs. P., widow Civil Servant Madras Establishment	100	0	0
	Pargiter, Mr. George, late Surveyor of Private Trade	75	0	0
	Petrie, Mrs. Elizabeth, widow Civil Servant Bengal Establishment	100	0	0
	Pitman, Mr. Robert B., late Extra Clerk Accountant's Office	90	0	0
		Parsons,		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 227

	£.	s.	d.
Parsons, Mr. John, late Hoymaster ... ..	150	0	0
Prenton, Mrs. J., widow of an Assistant Elder ... ..	25	0	0
Pierce, Mrs. Ann M., widow of a Commander ... ..	150	0	0
Richardson, Captain George, late a Commander (and one Child) ... ..	220	0	0
Rogers, Mrs., widow of late Examiner of Military Stores ... ..	20	0	0
Rennell, Major J., for services in India ... ..	600	0	0
Ryder, Mrs. C., widow Paymaster Bengal Army ... ..	100	0	0
Roberts, Miss A. D., niece of late Commander Company's Recruits, late of Wight ... ..	20	0	0
Roebuck, Mrs., widow of a Madras Civil Servant ... ..	200	0	0
Robbins, Mr. John, formerly of the Mahratta Service ... ..	200	0	0
Roberts, Miss, sister of a late Supra-Cargo ... ..	200	0	0
Rankine, Mrs. E., widow of a Clerk Freight Office ... ..	20	0	0
Read, Mr. W. S., late Clerk Tea Warehouse ... ..	150	0	0
Rous, Mrs., widow of late Company's Counsel ... ..	200	0	0
Ramsay, Mr. W. B., late Clerk Secretary's Office ... ..	300	0	0
Rundall, Mr. Thomas W., late Assistant Examiner of Indian Correspondence ... ..	800	0	0
Rawling, Mr. Martin, late Clerk Military Fund Office ... ..	205	0	0
Ross, Captain James, late a Commander, and his four children ... ..	160	0	0
Ritherdon, Mr. George, late Clerk Private Trade Warehouse ... ..	300	0	0
Rich, Mrs., widow late resident at Bagdad ... ..	200	0	0
Russell, Sir Henry, bart., late Judge, Bengal ... ..	2,000	0	0
Rutherford, Mr., late Assistant Surgeon, Bengal Establishment ... ..	100	0	0
Robins, Mr. Jos., late Waterman ... ..	45	0	0
Rees, Mrs. Jane, widow of Commander ... ..	100	0	0
Riches, Captain Matthew, late a Commander ... ..	200	0	0
Raitt, Captain Charles ... ditto ... ..	200	0	0
Stebbing, Mrs., widow of a Clerk Accountant's Office ... ..	30	0	0
Scarlett, Mr. James, late Extra Clerk ... ..	150	0	0
Smith, Mr. John, late Clerk Shipping Office ... ..	400	0	0
Scafe, Mrs. E., widow Inspector of Private Trade, and daughter ... ..	50	0	0
Shakespeare, Mr. T., late Elder, East-India Wharf ... ..	200	0	0
Stewart, Mrs. C. H., widow of a Purser ... ..	25	0	0
Smith, Mrs. E., daughter of late Transfer Accountant ... ..	50	0	0
Sharp, Mr. John, late Porter, Shipping Office ... ..	100	0	0
Stewart, Mr. A. H., late Lieutenant, Bengal Establishment... ..	30	0	0
Sadler, Captain James, Madras Establishment, his four children ... ..	120	0	0
Seacole, Mr. Thomas F., late Second Mate Company's ship "Thomas Grenville" ... ..	80	0	0
Salmon, Mrs. M., widow late Deputy Governor of Bencoolen ... ..	50	0	0

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
Pensions,  
1827.

# 228 FIRST APPENDIX TO THE THIRD REPORT OF THE

		£.	s.	d.
III. OFFICERS, ESTABLISHMENTS, &c. — Pensions, 1827.	Salter, Mrs., widow late Commander Bombay Marine ... ..	41	5	0
	Showers, Mrs., mother of Captain S., who was killed in action with the Nepaulese ... ..	70	0	0
	Strange, Sir Thomas, late Judge, Madras ... ..	1,600	0	0
	Stockdale, Mr. F. W. L., late Clerk Military Secretary's Office ... ..	250	0	0
	Steel, Mrs. Lydia, nearest relation of the late Colonel William Flint, Madras Establishment ... ..	50	0	0
	Stewart, Mrs. Mary, sister of a late Captain Madras Establishment ... ..	50	0	0
	Sinnett, Mr. John, late a Second Mate ... ..	100	0	0
	Stockwell, Mr. John, late Tea Warehouse-keeper ... ..	1,500	0	0
	Steele, Mr. Thomas J., late Surveyor of Private Trade ... ..	30	0	0
	Sawyer, Mrs. M. A., widow Inspector of Company's Spice ... ..	100	0	0
	Seabright, Mrs. S., widow of a Waterman ... ..	10	0	0
	Still, Mr. John, Second Lieutenant Bombay Marine ... ..	45	0	0
	Stout, Mrs. J. J., widow of a Lieutenant Bombay Marine ... ..	41	5	0
	Scott, Misses, two daughters of Master Attendant, Prince of Wales' Island	40	0	0
	Story, Mr. William, late Lieutenant Madras Establishment ... ..	60	0	0
	Slaney, Mr. John, late River Pilot ... ..	50	0	0
	Scobie, Mrs. Bell, widow of a Lieutenant Bombay Marine ... ..	40	0	0
	Shepherd, Mr. Robert, late Extra Clerk ... ..	85	0	0
	Spicer, Thomas, late Waterman ... ..	12	0	0
	Say, Mr. Thomas, late Lieutenant Bombay Establishment ... ..	50	0	0
	Staunton, Mrs., widow Colonel Staunton ... ..	182	0	0
	Shipp, Lieutenant John, late His Majesty's 87th Foot ... ..	50	0	0
	Stanley, Sir E., late Judge, Madras ... ..	1,600	0	0
	Strachan, Mr. George, late Lieutenant Bombay Establishment ... ..	50	0	0
	Stewart, Mr. Charles, late Professor East-India College ... ..	450	0	0
	Street, Mr. H. J., late Clerk Freight Office ... ..	60	0	0
	Stewart, Mr. Robert, late Deputy Assistant Elder ... ..	35	0	0
	Summerfield, Mrs. E., widow Elder, Pepper Warehouse ... ..	25	0	0
	Stenton, Mrs. P., widow of an Assistant Elder ... ..	25	0	0
	Simpson, Mrs. H., widow Clerk Buying Office, and her two daughters ...	110	0	0
	Sansom, Mrs., widow of an Assistant Elder Private Trade Warehouse	25	0	0
	Stewart, Mrs. B., widow of a Clerk Pay Office ... ..	30	0	0
	Sugden, Mrs. S., widow of a Clerk Tea Warehouse, and two children ...	160	0	0
	Skottowe, Mrs. Ann, widow of a Commander ... ..	150	0	0
	Taylor, Mrs. E., daughter of late Clerk Auditor's Office ... ..	15	0	0
	Tomkins, Mr. William, late Deputy Master Attendant, Calcutta ... ..	450	0	0
	Thomas, Mrs. E. A., widow Assistant Surgeon, Bombay Establishment ...	50	0	0
	Torriano, Miss, daughter of late Captain Torriano ... ..	25	0	0
	Thompson, Mrs. R., widow Clerk Accountant's Office ... ..	80	0	0

Thompson,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 229

	£.	s.	d.
Thompson, Mr. William, late Extra Clerk ... ..	90	0	0
Thorne, Mr. J. S., late Clerk Freight Office ... ..	150	0	0
Thomas, Mr. William, late Elder, Stationery Warehouse ... ..	130	0	0
Towers, Mr. Thomas, late Surveyor of Private Trade ... ..	75	0	0
Tasker, Mr. O., late Porter ... ..	75	0	0
Vaughan, Mr. B., late Elder Tea Warehouse ... ..	200	0	0
Veil, Mr. J. B., late Clerk Buying Office ... ..	109	4	0
Urquhart, Mr. John, late Military Secretary's Office ... ..	195	0	0
Urquhart, Mr. William, late Extra Clerk ... ..	50	0	0
Wellesley, the Most Noble the Marquis of, late Governor-General ... ..	5,000	0	0
Warden, Mrs. E. R., widow of Senior Merchant Bombay ... ..	100	0	0
Winter, Mr. G., late Pilot, Bengal ... ..	100	0	0
Webber, Mr. W., late Senior Merchant, Bengal ... ..	200	0	0
Wilkinson, Rev. J. J., late Chaplain, St. Helena ... ..	105	0	0
Wyatt, Mrs. M., daughter of late Governor, Fort Marlbro' ... ..	50	0	0
Wales, Mrs., widow of late Captain Bombay Marine ... ..	80	0	0
Wright, Mr. George, late Extra Clerk ... ..	50	0	0
Wilson, Mrs. A., widow of a Lieutenant St. Helena Artillery, and daughter	42	16	3
Wilks, Mrs. M., widow Registrar of Indian Books ... ..	60	0	0
West, Mr. W., late Messenger ... ..	40	0	0
Watkins, Mr. Samuel, late Deputy Assistant Elder ... ..	35	0	0
Woodcock, Mr. John, late Assistant Clerk Committee of Buying and Warehouses ... ..	700	0	0
Woolley, Mr. John, late Door-keeper ... ..	266	13	4
White, Mr. Richard, late Elder Coast Warehouse ... ..	175	0	0
White, Lieutenant E. S., late Madras Establishment ... ..	55	0	0
Winbolt, Mr. W., late Clerk, Transfer Office ... ..	50	0	0
Wiss, Mrs. M. A., widow Inspector of Silk ... ..	50	0	0
Wildman, Mr. John Robert, late Surveyor of Private Trade ... ..	30	0	0
Woodfield, Mrs. M. widow of a ... .. ditto ... ..	25	0	0
Wood, Mrs. ... .. ditto ... .. ditto ... ..	20	0	0
Warren, Mr. A., late Clerk for Passengers Baggage Outward ... ..	800	0	0
Williams, Lieut. John Samuel, late Bengal Cavalry ... ..	25	0	0
Wordsworth, Mr. James, late Civil Servant Bengal Establishment ... ..	200	0	0
Winter, Mrs. A., widow of a Chaplain Fort Marlbro' ... ..	100	0	0
Wilmot, Mr. James, Clerk Registrar of Records Department ... ..	200	0	0
Williamson, Miss C., daughter of a Doorkeeper ... ..	52	0	0
Williams, Mr. Thomas, late Extra Clerk ... ..	150	0	0
Wittwer, Mr. T. N., late Accountant to Board of Control ... ..	1,150	0	0
Watson, Mrs. M. E., widow of a Lieutenant Bombay Marine ... ..	41	5	0
Wynter, Mr. W. J. M., Lieutenant Madras Establishment ... ..	30	0	0

Wright,

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
—  
Pensions,  
1827.

# 230 FIRST APPENDIX TO THE THIRD REPORT OF THE

III. OFFICERS, ESTABLISHMENTS, &c. <hr/> Pensions, 1827.					£.	s.	d.
	Wright, Mr. William, late Auditor	...	...	...	...	1,800	0 0
	Wilkinson, Mr. Charles, late Inspector of Private Trade	...	...	...	...	150	0 0
	Webster, Mr. John, late Waterman	...	...	...	...	10	0 0
	Weir, Mr. John, late Prince Wales Island Establishment	...	...	...	...	100	0 0
	Wood, Mrs. C., daughter of a late Messenger	...	...	...	...	20	0 0
	Wynne, Mrs. S., widow of a Civil Servant Bengal Establishment	...	...	...	...	80	0 0
	Webb, Lieutenant-Colonel, Bombay Establishment, four Children of the late	...	...	...	...	80	0 0
	Wilkinson, Mrs. J., widow of a Mechanic Calcutta Mint	...	...	...	...	20	0 0
	Wright, Mr. B., late Elder Tea Warehouse	...	...	...	...	200	0 0
	Wissett, Mrs. C., widow of an Assistant Elder	...	...	...	...	40	0 0
	Williams, Mrs. L., ... ditto ... ditto	...	...	...	...	40	0 0
	Wickens, Mrs. A., widow of a Clothdrawer	...	...	...	...	45	0 0
	Wilkinson, H., late Seaman Bombay Marine	...	...	...	...	13	13 9
	Williamson, W., ... ditto ... ditto	...	...	...	...	13	18 3
	Westbrook, Mrs., widow of an Extra Clerk	...	...	...	...	14	19 6
	Young, Mrs. M., widow of a late Colonel Madras Establishment	...	...	...	...	50	0 0
	Young, Mr. Joseph, late a Waterman	...	...	...	...	20	0 0
	Yull, Mrs. O., widow of a late Stud Groom, Padnalls	...	...	...	...	40	0 0
	Yarnold, Mrs. S., widow of a writer	...	...	...	...	15	0 0
	Young, Mrs. M., widow of a late Elder	...	...	...	...	15	0 0
	Sundry small Pensions to Watchmen, &c.	...	...	...	...	113	13 0
	Sundry Pensions from the Company's cash to Soldiers and others, paid in the department of the Military Fund Paymaster	...	...	...	...	1,303	5 2½

East-India House,  
31 October 1831.

(Errors excepted)

THOS. G. LLOYD, Accountant General.

Appendix, No. 35—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Military  
Retired Pay and  
Allowances,  
1817.

AN ACCOUNT of the NAMES of the RETIRED OFFICERS on the several INDIAN ESTABLISHMENTS, and the AMOUNT of the PAY and ALLOWANCES of each, as they stood on the 1st May 1817, and the 1st May 1827, respectively.

1817.—BENGAL.

	Amount of Pay & Allowances.				Amount of Pay & Allowances.		
	£.	s.	d.		£.	s.	d.
Agg, James, captain ...	45	12	6	Cornish, surgeon Charles ...	91	5	0
Alcock, Thomas, major ...	91	5	0	Crowe, lieut. Philip ...	45	12	6
Allison, William, asst.-surg.	36	10	0	Cuthbert, lt.-col. Benjamin ...	365	0	0
Alston, W. C., lt.-col. ...	273	15	0	Dalston, captain Fletcher ...	182	10	0
Anderton, W. P., captain ...	91	5	0	Davidson, major James, { pay	273	15	0
Anderson, W., surgeon ...	60	0	0	{ pension	70	0	0
Atkinson, James, major ...	182	10	0	Davis, lt.-col. W. B. ...	365	0	0
Baillie, Robert, lt.-col. ...	182	10	0	Dawson, major John ...	273	15	0
Baker, W. M., lt.-col. ...	365	0	0	Denby, lt.-col. William ...	365	0	0
Balfour, Henry, lt.-col. ...	365	0	0	Dick, surgeon William ...	182	10	0
Balfour, Francis, M. Med. Bd.	273	15	0	Dick, major William ...	182	10	0
Berrie, major Robert ...	90	0	0	Don, lt.-col. Patrick ...	365	0	0
Bird, Edward, captain ...	500	0	0	Douglas, lt.-col. Patrick ...	365	0	0
Black, Peter, lt.-col. ...	182	10	0	Dowell, major Thomas ...	273	15	0
Blunt, J. T., captain ...	45	12	6	Drummond, major J. P. ...	182	10	0
Bradford, J. Y., major ...	365	0	0	Dubois, captain J. H. V. ...	91	5	0
Brougham, Thomas, major ...	182	10	0	Duff, lt.-col. John ...	365	0	0
Brown, Edward, captain ...	182	10	0	Duff, captain Robert ...	182	10	0
Buchanan, Francis, surgeon ...	182	10	0	Duncan, colonel W. ...	365	0	0
Burke, William, captain ...	182	10	0	Duncan, captain M. ...	182	10	0
Campbell, lt.-col. John ...	45	12	6	Eade, captain John ...	45	12	6
Campbell, captain Robert ...	273	15	0	Erskine, lieut. F. T. ...	60	0	0
Campbell, surgeon Alexander ...	91	5	0	{	25	0	0
Carruthers, captain John ...	182	10	0	Ewart, surgeon Peter ...	182	10	0
Cheape, major Henry ...	45	12	6	Fergusson, lieut. George ...	36	10	0
Clarke, major James ...	273	15	0	Fleming, John, M. Med. Bd.	500	0	0
Clarke, lieut. Otto ...	182	10	0	Fleming, captain W. ...	91	5	0
Colvill, lieut. Thompson ...	45	12	6	Ford, captain M. R. ...	91	5	0
Constable, lt.-col. George ...	45	12	6	{	70	0	0
Corfield, captain Frederick ...	365	0	0	Forrest, captain W. ...	91	5	0
	45	12	6	Fraser, lt.-col. Charles ...	170	0	0
					365	0	0

Fraser,

## III.

OFFICERS,  
ESTABLISHMENTS,  
&c.Military  
Retired Pay and  
Allowances.  
1817.

		Amount of Pay & Allowances.		
		£.	s.	d.
Fraser, major Roderick	...	273	15	0
Fuller, major George	...	273	15	0
Gardner, surgeon W. F.	...	182	10	0
Gascoigne, lt.-col. Joseph	...	365	0	0
Gerrard, captain John	...	182	0	0
Gilchrist, surgeon J. B.	...	118	10	0
Gillespie, major John	...	45	12	6
Gladwin, major C.	...	273	15	0
Glass, lt.-col. A.	...	365	0	0
Grant, lt.-col. Ludowick	...	365	0	0
Grant, lt.-col. Alexander	...	273	15	0
Grant, major Charles	...	273	0	0
Greene, lt.-col. Thomas	...	365	0	0
Greig, captain Charles	...	45	12	6
Hamilton, lt.-col. Anthony	...	365	0	0
Harper, surgeon W.	...	182	10	0
Hay, colonel Patrick	...	365	0	0
Hay, major Richard	...	182	10	0
Henderson, surgeon John	...	182	10	0
Hodgson, major Richard	...	273	15	0
Howison, surgeon James	...	91	5	0
Hume, captain P. B.	...	45	12	6
Hutchison, lt.-col. George	...	365	0	0
Hutton, surgeon James	...	182	10	0
Jeffreys, reverend Richard	...	91	5	0
Johnson, surgeon Daniel	...	182	10	0
Kean, asst.-surg. H. B.	...	36	10	0
Kegan, surgeon Charles	...	182	10	0
Kennaway, lt.-col. Sir J., Bt.	...	91	5	0
King, major Arnold	...	182	10	0
Lawtie, lt.-col. James	...	365	0	0
Leathart, major John	...	273	15	0
Ledlee, surgeon Thomas	...	182	10	0
Lloyd, lt.-col. Hubert	...	273	15	0
Macan, major Thomas	...	91	5	0
Macdonald, captain John	...	45	12	6
Macfarlane, captain James	...	91	5	0
Macgrath, surgeon Michael	...	182	10	0
Mackenzie, lt.-col. Jabez	...	365	0	0
Mair, head-surgeon Hugh	...	300	0	0
Maitland, lt.-col. Charles	...	273	15	0
Malcolm, major John	...	273	15	0

		Amount of Pay & Allowances.		
		£.	s.	d.
Marsden, lt.-col. F.	...	365	0	0
Martin, captain Thomas	...	182	10	0
Martin, captain Thomas	...	117	10	0
Martin, captain Thomas	...	182	10	0
Martin, lieut. William	...	36	10	0
Martin, capt. G. B.	...	91	5	0
Maxtone, captain Anthony	...	91	5	0
Maxtone, captain Anthony	...	70	0	0
Maxwell, captain George	...	36	10	0
Maynard, captain F.	...	45	12	6
M'Leod, major M.	...	182	10	0
Mercer, major Henry	...	273	15	0
Mercer, surgeon Græme	...	182	10	0
Missing, captain John	...	91	5	0
Morison, major Alexander	...	273	15	0
Mounsey, major George	...	273	15	0
Munro, lt.-col. John	...	365	0	0
Murray, lt.-col. Sir J. M., Bart.	...	365	0	0
Murray, capt. R. M.	...	91	5	0
Murray, captain James	...	91	5	0
Mushet, asst.-surgeon P.	...	36	10	0
Nelly, lt.-col. John	...	365	0	0
Nelly, lt.-col. John	...	100	0	0
Nisbett, surgeon Durall	...	182	10	0
Noble, major Samuel	...	91	5	0
Norris, lieut. Robert	...	36	10	0
Ogle, lt.-col. Robert	...	365	0	0
Orme, major Alexander	...	182	10	0
Owen, lt.-col. John	...	365	0	0
Parker, captain William	...	91	5	0
Pearson, lt.-col. James	...	365	0	0
Phillips, head-surg. Thomas	...	300	0	0
Plumer, colonel James	...	365	0	0
Pryor, major W. S.	...	273	15	0
Pudner, captain John	...	182	10	0
Raban, lt.-col. William	...	365	0	0
Rankin, captain John	...	91	5	0
Rankin, lt.-col. William	...	273	15	0
Rattray, lt.-col. W.	...	273	15	0
Reid, lt.-col. John	...	273	15	0
Richards, major W.	...	91	5	0
Richards, major W.	...	100	0	0
Rind, major J. N.	...	182	10	0

Roberts,

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Amount of Pay & Allowances.			Amount of Pay & Allowances.		
£.	s.	d.	£.	s.	d.
Roberts, colonel R. E. ...	365	0 0	Tomkyns, lt.-col. J. ...	182	10 0
Roberts, captain C. M. ...	91	5 0	Toppin, captain John ...	90	0 0
Robertson, major D. ...	273	15 0	Turton, lt.-col. R. ...	45	12 6
Robinson, captain G. A. ...	91	5 0	Vibart, lt.-col. J. M. ...	365	0 0
Robinson, asst.-surgeon J. ...	36	10 0	Watkins, major Alexander ...	365	0 0
Rose, lt.-col. H. ...	365	0 0	Welsh, colonel Thomas ...	273	15 0
Ross, surgeon James ...	182	10 0	White, lt.-col. H. V. ...	456	5 0
Salkeld, lt.-col. Thomas ...	273	15 0	White, surgeon Thomas ...	273	15 0
Sandys, lt.-col. W. ...	273	15 0	Williams, surgeon J. L. ...	91	5 0
Saumarez, captain Nicholas ...	45	12 6	Williams, surgeon W. ...	182	10 0
Scott, lt.-col. Richard ...	365	0 0	Williamson, captain T. G. ...	182	10 0
Scott, major Henry ...	45	12 6	Williamson, lieutenant Jos. ...	91	5 0
Scott, surgeon J. C. ...	91	5 0	Williamson, asst.-surg. Sam. ...	36	10 0
Sharpe, captain N. ...	100	0 0	Willim, captain J. G. ...	36	10 0
Sharp, major James ...	91	5 0	Wilson, lieutenant Hill ...	91	5 0
Shaw, lt.-col. Thomas ...	365	0 0	Wilson, lieutenant Thomas ...	36	10 0
Skirving, captain Robert ...	182	10 0	Wilton, lt.-col. George ...	365	0 0
Smith, surgeon James ...	182	10 0	Witherston, lt.-col. John ...	365	0 0
Smith, surgeon George ...	182	10 0	Wood, lt.-col. Samuel ...	365	0 0
Sneyd, major W. ...	273	15 0	Wyatt, captain Charles ...	182	10 0
Stewart, major Charles ...	273	15 0	Yule, major W. ...	273	15 0
Stewart, lt.-col. John ...	365	0 0			

Military  
Retired Pay and  
Allowances.  
1817.

1817.—MADRAS.

Ainslie, W. sup.-surg. ...	300	0 0	Cameron, lt.-col. Robert ...	365	0 0
Baillie, Alex. lt.-col. J. A. ...	365	0 0	Campbell, major James ...	91	5 0
Bannerman, lt.-col. J. A. ...	365	0 0	Dallas, captain Charles ...	91	5 0
Batchelor, major Edward ...	136	17 6	Davis, captain E. F. ...	91	5 0
Bell, captain C. W. ...	45	12 6	Des Voeux, lieutenant Arthur ...	36	10 0
Berry, And. M. Med. Board pension ...	75	0 0	Duncan, surgeon Francis ...	91	5 0
Berry, And. M. Med. Board ...	500	0 0	Farmer, lieutenant Maurice ...	45	12 6
Blackiston, captain John ...	91	5 0	Fitzgerald, surgeon Maurice ...	182	10 0
Briggs, head-surg. John ...	300	0 0	Fleeming, head-surg. Chas. ...	300	0 0
Bryce, lt.-col. Alexander ...	273	15 0	Flint, lt.-col. W. ...	273	15 0
Burrows, lt.-col. Thomas ...	90	0 0	Fotheringham, major R. H. ...	273	15 0
Campbell, lt.-col. James ...	365	0 0	Fraser, captain Edward ...	91	5 0
Carnie, surgeon John ...	365	0 0	Gibbings, lt.-col. Arthur ...	365	0 0
Coke, lt.-col. Thomas ...	91	5 0	Gibson, captain A. ...	91	5 0
Crane, lt.-col. Samuel ...	365	0 0	Godfrey, lt.-col. Charles ...	365	0 0
Cuningham, capt. Charles ...	365	0 0	Goldsworthy, major John ...	273	15 0
	45	12 6	Grange, lieutenant R. G. ...	36	10 0
			2 H		
			Greene,		



## III.

OFFICERS,  
ESTABLISHMENTS,  
&c.Military  
Retired Pay and  
Allowances.  
1817.

		Amount of Pay & Allowances.					Amount of Pay & Allowances.		
		£.	s.	d.			£.	s.	d.
Greene, lt.-col. Thomas	...	365	0	0	Ogilby, lt.-col. Sir David	...	365	0	0
Halcott, lt.-col. Thomas	...	365	0	0	Orde, sup.-surg. William	...	300	0	0
Hamilton, captain Charles	...	36	10	0	Parkison, lt.-col. Thomas	...	355	0	0
Harris, lt.-col. Benjamin	...	273	15	0	Pasley, major Charles	...	91	5	0
Harris, captain W.	...	91	5	0	Pogson, lt.-col. Thomas	...	182	10	0
Hay, captain Edward	...	91	5	0	Radcliffe, lt.-col. H. W.	...	365	0	0
Himing, major Jacob	...	182	10	0	Ridge, major Robert	...	273	15	0
		40	0	0	Robertson, lt.-col. A.	...	365	0	0
Howley, lt.-col. Richard	...	273	15	0	Rowles, lt.-col. James	...	182	10	0
		90	0	0	Sauford, captain George	...	91	5	0
James, surgeon John	...	82	10	0	Saxon, lt.-col. George	...	350	0	0
Jones, captain J. L.	...	91	5	0	Sheppard, lt.-col. William	...	365	0	0
Kennedy, head-surg. Alex.	...	300	0	0	Somerville, captain H. E.	...	91	5	0
Kingston, lt.-col. Strickland	...	365	0	0	Stone, captain Webb	...	91	5	0
Langley, lt.-col. A. A.	...	365	0	0	Tait, head-surg. William	...	182	10	0
Lennon, lt.-col. W. C.	...	182	10	0	Thackeray, surgeon Thomas	...	91	5	0
Limrick, lt.-col. W. S.	...	365	0	0	Turton, lieut. Henry	...	36	10	0
Lutwidge, major Skeff.	...	91	5	0	Tytler, lieut. William	...	45	12	6
Macalister, captain Matthew	...	91	5	0	Underwood, surgeon John	...	91	5	0
Macintosh, surgeon William	...	182	10	0	Vesey, lt.-col. P. H.	...	365	0	0
Maitland, lt.-col. A.	...	365	0	0	Waight, lt.-col. George	...	365	0	0
Massey, colonel Cromwell	...	456	5	0	Warburton, major G.	...	91	5	0
M'Kenzie, head-surgeon A.	...	300	0	0	Warne, lt.-col. R.	...	365	0	0
M'Morris, surgeon Samuel	...	91	5	0	Willson, lt.-col. W.	...	365	0	0
Miller, head surgeon Henry	...	300	0	0			100	0	0
Molloy, captain John	...	91	5	0	Wilson, surgeon George	...	91	5	0
Nagle, lt.-col. James	...	273	15	0	Wood, captain Patrick	...	91	5	0
		100	0	0	Youngson, lt.-col. W.	...	365	0	0

## 1817.—BOMBAY.

Bellis, lt.-col. F. W.	...	182	10	0	Crozier, captain R. B.	...	91	5	0
Bethune, lt.-col. Andrew	...	365	0	0	Davies, lt.-col. W. A.	...	91	5	0
Blackall, major Robert	...	91	5	0	Disney, colonel Arthur	...	365	0	0
Brown, lt.-col. John	...	365	0	0	Doolan, lt.-col. Richard	...	365	0	0
Buchanan, lt.-col. Robert	...	365	0	0	Drummond, lt.-col. J.	...	365	0	0
Budden, major Richard	...	273	15	0	Drysdale, surgeon John	...	182	10	0
Burke, major W.	...	182	10	0	Eyles, major James	...	136	17	6
		100	0	0	Fisher, captain A. G.	...	91	5	0
Burrowes, Rev. Arnold	...	600	0	0	Forman, captain E. W.	...	91	5	0
Cape, major Thomas	...	273	15	0	Fowell, major Francis	...	273	15	0
Cliff, major John	...	273	15	0	Gibson, lt.-col. Thomas	...	365	0	0
Crofts, captain J. S.	...	91	5	0	Gillmer, captain E. B.	...	91	5	0

Gordon,

Amount of Pay & Allowances.				Amount of Pay & Allowances				OFFICERS, ESTABLISHMENTS, &c.
£. s. d.				£. s. d.				
Gordon, lt.-col. R. ...	...	365	0 0	Moor, major Edward	...	{ 136 17 6	Military Retired Pay and Allowances. 1817.	
Grant, captain Thomas	...	45	12 6	Page, captain Peter	...	0 0 0		
Harding, major John	...	273	15 0	Patrick, lt.-col. Charles	...	91 5 0		
Hay, captain Alexander	...	91	5 0	Philips, lieut. Edward	...	365 0 0		
Hill, captain R. D.	...	{ 91 5 0		Pouget, head-surg. Joseph	...	36 10 0		
		30 0 0		Price, major David	...	300 0 0		
Home, lt.-col. William	...	365 0 0		Riddell, lt.-col. John	...	273 15 0		
James, head-surg. J.	...	300 0 0		Roberts, captain T. T.	...	365 0 0		
Keir, surgeon George	...	{ 182 10 0		Scobie, captain M. J.	...	91 5 0		
		100 0 0		Scot, H. M. Med. Board,	...	91 5 0		
Lacey, lieut. Thomas	...	500 0 0		Seale, lt.-col. Richard	...	500 0 0		
Lauriston, lt.-col. A.	...	45 12 6		Spens, lt.-col. Archibald	...	365 0 0		
Lord, lieut. E. C.	...	365 0 0		Thompson, lt.-col. Jacob	...	365 0 0		
Mackie, Wm. M. Med. Bd.	...	45 12 6		Trash, lieut. A. I.	...	273 15 0		
Martin, captain James	...	500 0 0		Walker, lt.-col. A.	...	45 12 6		
Mason, lt.-col. William	...	91 5 0		Ward, major Jeremy	...	365 0 0		
McNeelance, head-surg. John	...	365 0 0		Watson, major J. D.	...	273 15 0		
Mignan, lt.-col. G. W.	...	300 0 0		Williams, major G.	...	91 5 0		
Mitchell, major Daniel	...	365 0 0		Young, lt.-col. W.	...	136 17 6		
		45 12 6				182 10 0		

1827.—BENGAL.

1827.

Adamson, surgeon William ...	127	15	0	Bradford, major J. Y. ...	...	182	10	0
Agg, captain James ...	73	0	0	Brodie, sen. chap. Edward ...	...	127	15	0
Alcock, major Thomas ...	127	15	0	Broughton, lt.-col. R. ...	...	365	0	0
Allingham, lieutenant. Edward ...	54	15	0	Brown, surgeon A. ...	...	191	12	6
Allison, asst.-surg. William ...	54	15	0	Browne, lieutenant. H. ...	{	45	12	6
Alston, lt.-col. W. C. ...	273	15	0			50	0	0
Anderdon, captain W. P. ...	{	127	15	Buck, lieutenant. John ...	{	54	15	0
		60	0			50	0	0
Anderson, surgeon William ...	182	10	0	Burke, captain W. ...	...	182	10	0
Atkinson, major James ...	182	10	0	Burnett, lt.-col. J. ...	...	127	15	0
Atkinson, lieutenant. Richard ...	73	0	0	Burney, lieutenant. J. C. ...	...	100	0	0
Baillie, lt.-col. John ...	365	0	0	Campbell, lt.-col. J. ...	...	365	0	0
Baker, lt.-col. W. M. ...	365	0	0	Campbell, captain R. ...	...	127	15	0
Barnes, surgeon John ...	127	15	0	Campbell, surgeon A. ...	...	182	10	0
Beattie, asst.-surgeon D. ...	100	0	0	Campbell, surgeon George ...	...	182	10	0
Berrie, major Robert ...	182	10	0	Carnegie, surgeon John ...	...	182	10	0
Birch, major George ...	292	0	0	Carruthers, captain John ...	...	73	0	0
Blunt, captain J. T. ...	182	10	0	Cathcart, lieutenant. James ...	...	54	15	0
Boyes, captain Robert ...	{	127	15	Chalmers, surgeon William ...	...	191	12	6
		50	0	Chambre, lieutenant. Christopher ...	...	54	15	0

III.  
OFFICERS,  
TABLISHMENTS,  
&c.

OFFICERS, TABLISHMENTS, &c.			Amount of Pay & Allowances.			Amount of Pay & Allowances.				
			£.	s.	d.	£.	s.	d.		
Military etired Pay and Allowances. 1827.	Chcape, major Henry	...	273	15	0	Forrester, captain J. N.	...	127	15	0
	Chape, lieutenant Henry	...	54	15	0	Franklin, lt.-col. W.	...	365	0	0
	Clarke, lt.-col. James	...	365	0	0	Fraser, lt.-col. Charles	...	365	0	0
	Clarke, lieutenant Otto	...	73	0	0	Fraser, lt.-col. S.	...	292	0	0
	Cockrane, P. M. Med. Bd.	...	500	0	0	Fraser, major Roderick	...	273	15	0
	Collyer, lt.-col. William	...	365	0	0	Fuller, major G.	...	273	15	0
	Constable, lt.-col. G.	...	365	0	0	Fulton, captain John	...	73	0	0
	Crawford, col. Charles	...	365	0	0	Gardner, surgeon G. O.	...	191	12	6
	Crowe, lieutenant Philip	...	73	0	0	Gascoigne, lt.-col. J.	...	365	0	0
			50	0	0	Gillman, J. M. Med. Bd.	...	500	0	0
	Cunninghame, major G.	...	173	7	6	Glass, lt.-col. A.	...	365	0	0
			100	0	0	Goding, lieutenant Josh. J.	...	73	0	0
			230	0	0	Gowan, captain W.	...	127	15	0
	Dalston, captain F.	...	182	10	0	Grant, lt.-col. L.	...	365	0	0
	Dashwood, captain C. J. A.	...	127	15	0		...	100	0	0
	Davis, lt.-col. W. B.	...	365	0	0	Grant, surgeon Samuel	...	191	12	6
	Davy, captain L. H.	...	127	15	0	Haig, surgeon Alexander	...	182	10	0
	Dawson, major John	...	273	15	0	Hamilton, lt.-col. A.	...	365	0	0
	Denby, lt.-col. W.	...	365	0	0	Hamilton, surgeon F.	...	182	10	0
	Denny, surgeon James	...	182	10	0	Hamilton, surgeon J.	...	300	0	0
	Dick, major Sir Wm. bart.	...	182	10	0	Harper, surgeon W.	...	182	10	0
	Don, lt.-col. Patrick	...	365	0	0	Heaslop, surgeon R.	...	73	0	0
	Dowell, major Thomas	...	273	15	0	Hennessy, lt.-col. A.	...	365	0	0
	Drummond, major J. P.	...	182	10	0	Heron, captain Francis	...	127	15	0
			91	5	0	Hickman, surgeon C.	...	54	15	0
	Duff, lt.-col. John	...	365	0	0	Hind, colonel Alexander	...	365	0	0
	Duff, captain Robert	...	182	10	0	Hodgson, major R.	...	273	15	0
	Dunbar, major Patrick	...	292	0	0	Homer, lieutenant A. A.	...	54	15	0
	Duncan, colonel W.	...	365	0	0			9	2	6
			135	0	0	Howison, surgeon J.	...	127	15	0
Eade, captain John	...	73	0	0	Hutchinson, lt.-col. G.	...	365	0	0	
Erskine, lieutenant F. T.	...	85	0	0	Hutton, surgeon James	...	182	10	0	
Fergusson, lieutenant George	...	54	15	0	Irvine, captain F.	...	127	15	0	
Fergusson, lt.-col. James	...	365	0	0	Jeffreys, chaplain Rev. R.	...	127	15	0	
Fetherston, lt.-col. Thomas	...	365	0	0	Johnson, surgeon Daniel	...	182	10	0	
Fleming, J. M. Med. Bd.	...	500	0	0	Johnson, captain John	...	127	15	0	
Flemyng, captain W.	...	127	15	0			40	0	0	
Fogo, captain W.	...	127	15	0	Johnston, surgeon J.	...	191	12	6	
Ford, captain M. R.	...	127	15	0	Kean, asst.-surgeon H. B.	...	54	15	0	
		70	0	0	Kegan, surgeon C.	...	182	10	0	
Forrest, lt.-col. William	...	127	15	0	Kennaway, lt.-col. Sir J.	...	127	15	0	
		170	0	0	King, major A.	...	182	10	0	

Kerio,

				Amount of					Amount of	OFFICERS,	
				Pay & Allowances.					Pay & Allowances.	ESTABLISHMENTS,	
				£.	s.	d.					&c.
Kerie, lieut. Jedediah	...	54	15	0	Nicholl, lt.-col. William	...	365	0	0	Military Retired Pay and Allowances. 1827.	
Langslow, captain R.	...	127	15	0	Nisbett, surgeon David	...	182	10	0		
Lawtie, lt.-col. James	...	100	0	0	Noble, major Samuel	...	127	15	0		
Leake, captain T. M.	...	365	0	0	Norris, lieut. Robert	...	54	15	0		
Leathart, major J. ...	...	127	15	0	O'Donnell, lt.-col. H. A.	...	182	10	0		
Ledmon, surgeon William	...	273	15	0	Oliver, major Archibald	...	292	0	0		
Leith, lt.-col. J. F.	...	73	0	0	Orme, major Alexander	...	182	10	0		
Lewis, asst.-surg. D.	...	365	0	0	Parker, Captain William	...	127	15	0		
Lofft, captain R. E.	...	73	0	0	Parson, rev. Joseph	...	365	0	0		
Lowe, sup.-surg. R.	...	73	0	0	Paterson, captain James	...	73	0	0		
Lumsdaine, surgeon J.	...	300	0	0	Paterson, captain John	...	25	0	0		
Macan, major Thomas	...	127	12	6	Petty, lieut. Robert P.	...	127	15	0		
Macalister, captain D.	...	127	15	0	Pester, lt.-col. John	...	73	0	0		
Macdonald, captain J.	...	200	15	0	Phillips, M. Med. Bd.	...	100	0	0		
Macfarlane, major J.	...	500	0	0	Phipps, lt.-col. P.	...	500	0	0		
Macgrath, surgeon M.	...	365	0	0	Pryce, captain Edward	...	365	0	0		
Mackenzie, lt.-col. J.	...	127	15	0	Pryor, major W. S.	...	127	15	0		
Mansell, surgeon W.	...	365	0	0	Pudner, captain John	...	273	15	0		
Marsden, lt.-col. F.	...	191	12	6	Purvis, captain R. F.	...	182	10	0		
Martin, captain Thomas	...	365	0	0	Raban, lt.-col. William	...	73	0	0		
Martin, captain Thomas	...	182	10	0	Raban, lt.-col. George	...	365	0	0		
Martin, lieut. William	...	200	0	0	Rainey, major W. H.	...	273	15	0		
Martin, captain G. B.	...	182	10	0	Ramsay, surgeon A. F.	...	127	15	0		
Matthew, captain W.	...	54	15	0	Rankin, captain John	...	127	15	0		
Matthews, major W. J.	...	54	15	0	Rankin, lt.-col. W.	...	273	15	0		
	...	73	0	0	Raymond, captain C. H.	...	273	15	0		
	...	173	7	6	Reid, lt.-col. John	...	73	0	0		
Maxtone, captain A.	...	127	15	0	Reid, captain Daniell	...	273	15	0		
Maynard, captain F....	...	70	0	0	Richards, major William	...	73	0	0		
M'Donald, lieut. A.	...	73	0	0	Richards, captain V. E.	...	50	0	0		
M'Kie, major W.	...	54	15	0	Ridge, major E. J.	...	127	15	0		
Melville, asst.-surg. A.	...	292	0	0	Roberts, colonel R. E.	...	100	0	0		
Menzies, captain William	...	127	0	0	Roberts, captain C. M.	...	127	15	0		
Mercer, major Henry	...	54	15	0	Robertson, major D.	...	127	15	0		
Morris, lt.-col. L. B.	...	127	15	0	Robinson, captain Sir G. A.	...	127	15	0		
Mounsey, major George	...	273	15	0	Rose, lt.-col. Hugh	...	365	0	0		
Moxon, lt.-col. W.	...	365	0	0	Ross, surgeon James	...	182	10	0		
Murray, captain R. M.	...	365	0	0	Rotton, lt.-col. James	...	365	0	0		
Murray, captain James	...	127	15	0	Russell, captain Charles	...	127	15	0		
Muschet, asst.-surg. P.	...	54	15	0							
Nelly, lt.-col. John	...	365	0	0							
	...	100	0	0							

## III.

OFFICERS,  
ESTABLISHMENTS,  
&c.Military  
retired Pay and  
Allowances.  
1827.

		Amount of Pay & Allowances.					Amount of Pay & Allowances.		
		£.	s.	d.			£.	s.	d.
Rutherford, ass.-surg. Thos...	...	100	0	0	Travers, captain T. O.	...	127	15	0
Ryan, lt.-col. Charles	...	292	0	0	Trist, captain Thomas	...	{ 73	0	0
Sandys, lt.-col. William	...	273	15	0			{ 90	0	0
Saumarez, captain N.	...	73	0	0	Turner, captain F. J.	...	127	15	0
Scott, major Henry	...	73	0	0	Voyle, lt.-col. E.	...	273	15	0
Scott, surgeon J. C.	...	127	15	0	Ward, rev. James	...	273	15	0
Scott, major John	...	173	7	6	Watkins, major Alexander	...	273	15	0
Shairpe, captain N.	...	{ 127	15	0	Webb, captain W. S.	...	127	15	0
		{ 100	0	0	White, lt.-col. W. V.	...	273	15	0
Shaw, lt.-col. Thomas	...	365	0	0	White, captain F. S.	...	127	15	0
Shepherd, rev. Henry	...	273	15	0	Williams, surgeon J. L.	...	182	10	0
Shoolbred, surgeon John	...	182	10	0	Williamson, lieut. Josh.	...	54	15	0
Skirving, captain John	...	182	10	0	Williamson, surgeon J.	...	191	12	6
Smyth, major Henry	...	127	15	0	Williamson, asst.-surg. Sam...	...	54	75	0
Staunton, lieut. P.	...	54	15	0	Willim, captain J. G.	...	127	15	0
Stewart, major Charles	...	273	15	0	Willson, lieut. Hill	...	54	15	0
Stewart, lt.-col. B.	...	365	0	0	Willson, lieut. George	...	73	0	0
Swindell, major P. C.	...	{ 292	0	0	Wilton, lt.-col. George	...	365	0	0
		{ 65	0	0	Witherston, lt.-col. John	...	365	0	0
Tandy, lieut. James	...	54	15	0	Wood, lt.-col. Samuel	...	365	0	0
Taylor, rev. A. W.	...	127	15	0	Wray, captain George	...	73	0	0
Thomas, captain P.	...	127	15	0	Wroughton, captain H. F.	...	{ 73	0	0
Thornton, asst.-surg. Henry...	...	100	0	0			{ 70	0	0
Tomkyns, lt.-col. John	...	{ 182	10	0	Yule, major W.	...	273	15	0
		{ 90	0	0					

## 1827.—MADRAS.

Agnew, lt.-col. P. V.	...	365	0	0	Blakiston, captain John	...	127	15	0
Ahmuty, lt.-col. T. A. S.	...	365	0	0	Blount, lieutenant Edward	...	54	15	0
Ainslie, sup.-surg. W.	...	300	0	0	Boswell, Alex., M. Med. Bd...	...	500	0	0
Baillie, lt.-col. Alex.	...	365	0	0	Boyn, captain George S.	...	{ 73	0	0
Baker, lieut. J. L.	...	54	15	0			{ 25	0	0
Balmain, capt. F. N.	...	191	12	6	Briggs, head-surgeon J.	...	300	0	0
Barclay, col. Sir R.	...	365	0	0	Brown, major J. D.	...	127	15	0
Barlow, lieut. William	...	54	15	0	Bruce, colonel Patrick	...	365	0	0
Batchellor, Major E.	...	173	7	6	Bryce, lt.-col. Alexander	...	{ 273	15	0
Bell, Captain Charles W.	...	{ 73	0	0			{ 90	0	0
		{ 75	0	0	Burges, Lieut. Edward	...	{ 54	15	0
Berry, And., M. Med. Bd.	...	500	0	0			{ 50	0	0
Bethune, captain H. L.	...	127	15	0	Burrows, lt.-col. Thomas	...	365	0	0
Blackman, captain E.	...	{ 73	0	0	Campbell, lt.-col. James	...	365	0	0
		{ 50	0	0	Campbell, major James	...	127	15	0

Carnac,

## III.

Amount of Pay & Allowances.				Amount of Pay & Allowances.				OFFICERS. ESTABLISHMENTS. &c.
£. s. d.				£. s. d.				Military Retired Pay and Allowances. 1827.
Carnac, major J. Rivett	...	127	15 0	Hart, captain M. J.	...	100	0 0	
Carnie, surgeon John	...	127	15 0	Harvey, captain Henry	...	127	15 0	
Chauvel, major J. S.	...	292	0 0		...	50	0 0	
Chitty, lt.-col. E.	...	365	0 0	Hay, lt.-col. Edward	...	127	15 0	
Clarke, captain M.	...	73	0 0	Hendry, surgeon Thomas	...	127	15 0	
Coke, lt.-col. Thomas	...	365	0 0	Hindley, major Edward	...	292	0 0	
Combe, Captain Boyce	...	127	15 0	Hodgson, captain T.	...	127	15 0	
	...	40	0 0	Holmes, captain H.	...	127	15 0	
Court, major H.	...	127	15 0	Hudleston, lt.-col. R. J.	...	365	0 0	
Cregoe, captain F.	...	73	0 0	Ingledew, surgeon W.	...	182	10 0	
Croasdaile, captain H. G. S.	...	73	0 0	Inverarity, captain R.	...	73	0 0	
Crosdill, lt.-col. J. (C.B.)	...	365	0 0	Jeffreys, captain George	...	127	15 0	
Crowther, lieut. Carlos	...	54	15 0	Johnston, captain C. B. M.	...	73	0 0	
Cunningham, capt. Charles	...	73	0 0	Jones, captain J. L.	...	127	15 0	
Cunninghame, maj. Sir J. brt.	...	173	7 6	Jones, lt.-col. W. J.	...	365	0 0	
Cunningham, lt.-col. W.	...	365	0 0	Jones, surgeon W.	...	191	12 6	
Currie, surgeon W.	...	182	10 0	Kelly, lt.-col. J. A.	...	365	0 0	
Dallas, captain Charles	...	127	15 0	Kennedy, head-surgeon A.	...	300	0 0	
Daniell, lt. col. F. A.	...	200	15 0	Kingston, lt.-col. S.	...	365	0 0	
Davis, captain E. F.	...	127	15 0	Lawless, lt.-col. P.	...	292	0 0	
Des Voeux, lieut. Arthur	...	54	15 0		...	50	0 0	
Dod, lt.-col. B.	...	365	0 0	Lennon, lt.-col. W. C.	...	200	15 0	
Donne, lt.-col. Charles	...	73	0 0	Limrick, lt.-col. W. S.	...	365	0 0	
Edmonds, captain R.	...	127	15 0	Longdill, surgeon B. P.	...	182	10 0	
Fenwick, captain William	...	127	15 0	Lutwidge, major S.	...	127	15 0	
Fernyhough, captain W.	...	127	15 0	Lyon, lieut. James	...	73	0 0	
Fitzgerald, surgeon M.	...	182	10 0		...	100	0 0	
Foljambe, surgeon James	...	182	10 0	Macalister, captain M.	...	127	15 0	
Fotheringham, major R. H.	...	273	15 0	Macdonald, captain J.	...	127	15 0	
Fraser, captain E. S.	...	127	15 0	Mackenzie, captain A. R.	...	127	15 0	
Gibbings, lieut.-col. A.	...	365	0 0		...	45	0 0	
Gibson, captain Alured	...	127	15 0	Mackintosh, surgeon W.	...	182	10 0	
Gilmour, sup.-surgeon J.	...	300	0 0		...	292	0 0	
Goldie, John M. Med. Bd.	...	500	0 0	Mackintosh, lt.-col. J. T.	...	70	0 0	
Goldsworthy, major J.	...	273	15 0	Maitland, lt.-col. A.	...	365	0 0	
Goodrich, cornet James	...	73	0 0	Malcolm, colonel Henry	...	365	0 0	
Goodsman, lieut. John	...	73	0 0	Maquay, captain George	...	127	15 0	
Grange, lieut. Richard G.	...	54	15 0	Marrett, major P. D.	...	173	7 6	
Greene, lieut.-col. Thomas	...	365	0 0	Marriott, major Charles	...	273	15 0	
Guille, captain Richard	...	127	15 0	Maslen, lieut. Thomas J.	...	73	0 0	
Hamilton, Captain C.	...	54	15 0		...	25	0 0	
Harris, Captain William	...	127	15 0	Massey, colonel C.	...	456	5 0	
				M'Donnell, lt.-col. D.	...	365	0 0	
				M'Kenzie, head-surgeon A.	...	300	0 0	

M'Morris,

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Military  
retired Pay and  
Allowances.  
1827.

		Amount of Pay & Allowances.			Amount of Pay & Allowances.		
		£.	s.	d.	£.	s.	d.
McMorris, surgeon S.	...	127	15	0	Smith, major L. S.	...	127 15 0
Michael, captain James	...	127	15	0	Smith, major John	...	292 0 0
Millingchamp, Rev. B.	...	127	15	0	Smyth, cornet Henry	...	54 15 0
Mitford, captain J. G.	...	127	15	0	Somerville, major H. E.	...	127 15 0
Molesworth, captain Lord Visc.	...	127	15	0	Stone, captain Webb	...	127 15 0
Molloy, captain John	...	127	15	0	Stone, captain William	...	127 15 0
Moncrieff, captain M.	...	{ 73	0	0	Stopford, lieut. Edward	...	54 15 0
		{ 30	0	0			{ 54 15 0
Monteath, major A. D.	...	127	15	0	Strong, captain Henry	...	{ 25 0 0
Moore, captain Thomas	...	127	15	0	Stuart, captain Charles	...	182 10 0
Nagle, lt.-col. James	...	{ 273	15	0	Sydenham, captain George	...	127 15 0
		{ 100	0	0	Thackeray, surgeon Thomas	...	127 15 0
Nanney, lieut. O. G. E.	...	73	0	0	Thomas, Rev. W. (D.D.)	...	365 0 0
Nash, lt.-col. H.	...	365	0	0	Thompson, Rev. M.	...	365 0 0
Ogilby, lt.-col. Sir D.	...	365	0	0	Thoresby, captain T. H.	...	127 15 0
O'Reilly, captain W. G.	...	{ 127	15	0	Tocker, captain H.	...	127 15 0
		{ 22	10	0	Turton, captain H.	...	54 15 0
Parkison, lt.-col. Thomas	...	365	0	0	Tytler, captain W.	...	73 0 0
Peyton, W. M. Med. Board	...	500	0	0	Underwood, surgeon J.	...	127 15 0
Pogson, lt.-col. Thomas	...	200	15	0	Vesey, lt.-col. P. H.	...	365 0 0
Richardson, major R.	...	127	15	0	Waight, lt.-col. George	...	365 0 0
Rothead, lt.-col. A.	...	365	0	0	Warburton, major G.	...	127 15 0
Rogers, surgeon Colin	...	300	0	0	Warne, lt.-col. R.	...	365 0 0
Rowles, captain James	...	200	15	0	Weldon, lt.-col. A.	...	365 0 0
Samuel, captain E. P.	...	127	15	0	Wilks, lt.-col. M.	...	365 0 0
Sanford, captain George	...	127	15	0	Williams, lieut. Edward	...	54 15 0
Savery, lieut. John	...	73	0	0	Willson, lt.-col. W.	...	{ 365 0 0
Saunders, captain F. D.	...	127	15	0			{ 100 0 0
Scott, captain Archibald	...	127	15	0	Wood, captain Patrick	...	127 15 0
Serjeant, surgeon Thomas	...	191	12	6	Wren, major Thomas	...	173 7 6
Shakespeare, captain J. N.	...	73	0	0	Yarde, major Henry	...	292 0 0
Sheppard, lt.-col. William	...	365	0	0	Youngson, lt.-col. William	...	292 0 0
Sherwood, surgeon R. C.	...	182	10	0			

1827.—BOMBAY.

Barton, captain J. J.	...	127	15	0	Carpenter, major W. L.	...	173	7	6
Blackall, major R.	...	127	15	0	Christie, surgeon D.	...	191	12	6
Breton, captain Peter	...	127	15	0	Coats, surgeon Thomas	...	{ 191	12	6
Brown, major Alexander	...	127	15	0			{ 100	0	0
Buchanan, lt.-col. R.	...	365	0	0	Colquhoun, surg. G.	...	182	10	0
Budden, major R.	...	273	15	0	Crofts, captain J. S.	...	127	15	0
Byers, captain James B.	...	127	15	0	Crozier, captain R. B.	...	127	15	0
Cape, major Thomas	...	273	15	0	Davies, lieut. David	...	54	15	0

Davies,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 241

						OFFICERS, ESTABLISHMENTS, &c.								
			Amount of Pay & Allowances.						Amount of Pay & Allowances.					
			£.	s.	d.				£.	s.	d.			
Davies, surgeon W. A.	...	...	127	15	0	Mackie, W. M. Med. Board,	...	...	500	0	0	Military Retired Pay and Allowances. 1827.		
Disney, colonel A.	...	...	365	0	0	Manuel, lieut. George	...	...	54	15	0			
Doolan, lt.-col. Richard	...	...	365	0	0	Marshall, captain W.	...	...	127	15	0			
Drummond, lt.-col. James	...	...	365	0	0	Martin, captain J.	...	...	127	15	0			
Eyles, major James	...	...	173	7	6	Mason, lt.-col. W.	...	...	365	0	0			
Fisher, captain A. G.	...	...	127	15	0	Miller, lieut. James	...	...	54	15	0			
Forbes, captain Alexander	...	...	73	0	0	Mitchell, major D.	...	...	73	0	0			
Forman, captain E. W.	...	...	127	15	0	Mitchell, surgeon J.	...	...	127	15	0			
Fowell, major Francis	...	...	273	15	0	Moor, major Edward	...	{	173	7	6			
Gibson, lt.-col. Thomas	...	...	365	0	0				50	0	0			
Gillmer, captain E. B.	...	...	127	15	0	Munbee, lieut. V.	...	...	54	15	0			
Gordon, lt.-col. R.	...	...	365	0	0	Nugent, captain Edward	...	...	127	15	0			
Gourlay, surgeon William	...	...	127	15	0	Page, captain Peter	...	...	127	15	0			
Grant, lt.-col. William	...	...	292	0	0	Page, lieut. George C.	...	...	54	15	0			
Grant, captain Thomas	...	...	73	0	0	Palmer, surgeon Thomas	...	...	182	10	0			
Grindlay, captain R. M.	...	...	127	15	0	Phillips, lieut. Edward	...	...	54	15	0			
Hawks, lieut. Joshua	...	...	54	15	0	Phillips, B. M. Med. Board,	...	...	500	0	0			
Hay, captain Alexander	...	...	127	15	0	Pouget, head-surgeon J.	...	...	300	0	0			
Hinc, surgeon John	...	...	182	10	0	Price, major David	...	...	273	15	0			
Hughes, captain G. F.	...	...	127	15	0	Roberts, captain S. T.	...	...	127	15	0			
Inverarity, surgeon James	...	...	182	10	0	Robertson, surgeon H.	...	...	300	0	0			
Johnson, lt.-col. J.	...	{	273	15	0	Rutherford, lieut. Charles	...	{	73	0	0			
			90	0	0				50	0	0			
Jones, captain Joseph	...	...	127	15	0	Spens, lt.-col. A.	...	...	365	0	0			
Kempe, captain W. P.	...	...	127	15	0	Thatcher, lt.-col. Thomas	...	...	200	15	0			
Kempe, lt.-col. J. A.	...	...	365	0	0	Tovey, lt.-col. H.	...	...	292	0	0			
Lawrie, lieut. W. R. H.	...	...	54	15	0	Towsey, captain Edward	...	...	73	0	0			
Lecky, captain C. M.	...	...	127	15	0	Walker, lt.-col. Alexander	...	...	365	0	0			
Leslie, surgeon Patrick	...	...	127	15	0	Watson, major J. D.	...	...	127	15	0			
Lord, lieut. E. C.	...	...	73	0	0	Young, lt.-col. Sir W. bart.	...	...	200	15	0			
Macdonell, captain J.	...	{	127	15	0									
			120	0	0									

Auditor's Office,  
11 October 1831.

JAMES C. MELVILL,  
Aud. India Accts.



III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Expenses.

Appendix,—

A RETURN of the ESTABLISHMENTS connected with all OFFICES and PLACES, Civil, Political, Military and not included in the Returns laid before the Committee on East-India Affairs; and the 1st May 1817, and on 1st May 1827; and stating likewise the Date of New Establishments,

ESTABLISHMENTS.	1st May 1817.				
	No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
Secretary's Office :		£.	£.	£.	£.
Extra Clerks .. .. .	43	5,109	2,237	7,346	
Porters .. .. .	4	508	95	603	
	47	5,617	2,332	—	7,949
Examiner's Office :					
Extra Clerks .. .. .	23	2,706	978	3,684	
Porters .. .. .	4	450	34	484	
	27	3,156	1,012	—	4,168
Auditor's Office :					
Extra Clerks .. .. .	5	499	10	509	
Porters .. .. .	1	110	—	110	
	6	609	10	—	619
Military Secretary's Office :					
Extra Clerks .. .. .	9	1,169	472	1,641	
Porters .. .. .	1	110	24	134	
	10	1,279	496	—	1,775
Paymaster of Lord Clive's Fund :					
Porter .. .. .	1	100	—	—	100
Accountant-General's Office :					
Extra Clerks .. .. .	4	492	256	748	
Porters .. .. .	2	215	34	249	
	6	707	290	—	997
Auditor of Home Accounts :					
Porter .. .. .	—	—	—	—	—
China Correspondence :					
Extra Clerks .. .. .	—	—	—	—	—
Porters .. .. .	—	—	—	—	—

—No. 36.

or Commercial, belonging to the EAST-INDIA COMPANY, within the United Kingdom or Colonies, Fixed and Contingent Expenses respectively attaching to each Establishment, as it stood on or of any considerable Augmentations.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.  
Home  
Establishment  
Expenses.

1st May 1827.					
No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—	
41	£. 5,556	£. 1,992	£. 7,548	£.	
3	347	25	372		
44	5,903	2,017	—	7,920	
31	3,739	2,325	6,064		1819, 4 extra Clerks appointed.
7	688	112	800		1822, 4 ..... ditto.
38	4,427	2,437	—	6,864	1825, 2 ..... ditto.
					Jan. 1817, 1 Porter .. ditto.
					June 1826, 2 ditto .. ditto.
14	1,511	533	2,044		5th March 1823, extra Clerks' salaries increased £50.
2	210	20	230		11th Aug. 1824 ..... ditto ..... 80.
16	1,721	553	—	2,274	November 1823, 9 extra Clerks appointed.
					Ditto ..... 1 Porter added, at ..... 100.
14	1,780	551	2,331		
2	210	—	210		June 1821, 2 extra Clerks added.
16	1,990	551	—	2,541	
1	100	—	—	100	
5	794	457	1,251		
3	290	30	320		4th April 1825, additional Porter appointed, at £80 per annum.
8	1,084	487	—	1,571	
1	90	—	—	90	July 1821, this department formed.
2	260	110	370		
1	100	—	100		
3	360	110	—	470	Ditto ..... ditto.

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—continued.

Home  
Establishment  
Expenses.

ESTABLISHMENTS.							1st May 1817.				
							No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
Treasury :								£.	£.	£.	£.
Extra Clerk	..	..	..	..	..	..	1	130	93	223	
Porters	..	..	..	..	..	..	1	128	—	128	
							2	258	93	—	351
Transfer Office :											
Porter	..	..	..	..	..	..	1	108	—	—	108
Freight Office :											
Extra Clerks	..	..	..	..	..	..	8	857	172	1,029	
Porter	..	..	..	..	..	..	1	100	50	150	
Inspectors	..	..	..	..	..	..	4	800	301	1,101	
Surveyors	..	..	..	..	..	..	22	1,780	176	1,956	
Watermen	..	..	..	..	..	..	12	722	19	741	
							47	4,259	718	—	4,977
Pay Office :											
Porters	..	..	..	..	..	..	5	630	—	—	630
Shipping Office :											
Porters	..	..	..	..	..	..	2	250	—	—	250
Master Attendant's Office :											
Extra Clerks	..	..	..	..	..	..	1	97	117	214	
Porter	..	..	..	..	..	..	1	100	—	100	
							2	197	117	—	314
Buying Office :											
Extra Clerks	..	..	..	..	..	..	13	1,460	253	1,713	
Porters	..	..	..	..	..	..	2	210	—	210	
							15	1,670	253	—	1,923
Sale Room Criers							2	390	—	—	390
Library :											
Extra Clerks	..	..	..	..	..	..	3	322	—	322	
Porter	..	..	..	..	..	..	1	150	—	150	
							4	472	—	—	472
Clerk to Military Seminary Committee :											
Extra Clerks	..	..	..	..	..	..	1	120	—	—	120
Clerk to Committee of College :											
Extra Clerk	..	..	..	..	..	..	—	—	—	—	—

—No. 36—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Expenses.

1st May 1827.					
No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—	
	£.	£.	£.	£.	
1	116	74	190		4th April 1826, extra Clerk's salary increased £40 per annum.
2	240	—	240		Ditto .. Porters appointed .. 100.
3	356	74	—	430	
1	108	21	—	129	
2	258	82	340		
1	100	60	160		
—	—	—	—		
15	1,850	120	1,970		13th April 1825, Surveyors' salaries increased £310 per annum.
6	337	20	357		
24	2,545	282	—	2,827	
5	570	10	—	580	
2	210	—	—	210	22d June 1827, additional Porter appointed, at £100 per annum.
—	—	—	—		
1	100	—	—		
1	100	—	—	100	
16	2,153	1,123	3,276		
2	210	30	240		
18	2,363	1,153	—	3,516	
2	390	—	—	390	
2	252	60	312		
1	200	—	200		11th April 1821, Porter's salary increased £50 p' ann.
3	452	60	—	512	
2	272	85	—	357	March 1825, an extra Clerk transferred from Sec. Office.
1	104	45	—	149	13th April .. Ditto salary increased £40 p' ann.
					Sept. 1818, an extra Clerk transferred from Sec. Office.

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—*continued*.

Home  
Establishment  
Expenses.

ESTABLISHMENTS.	1st May 1817.				
	No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
		£.	£.	£.	£.
Assistants to Surveyor of Buildings .. .. .	—	—	—	—	—
Court Room Doorkeepers .. .. .	8	1,943	63	—	2,006
Door Porters .. .. .	2	225	—	—	225
Watchmen .. .. .	24	1,725	91	—	1,816
Firelighters .. .. .	9	820	—	—	820
Constable .. .. .	—	—	—	—	—
Housekeeper, Assistants and Charwomen .. .. .	9	418	—	—	418
East-India Wharf:					
Elders .. .. .	2	—	—	700	
Assistant Elders .. .. .	2	—	—	300	
Extra Clerks .. .. .	—	—	—	—	
Book-keepers .. .. .	6	—	—	720	
Sealers .. .. .	3	—	—	380	
Hoymasters .. .. .	12	—	—	3,840	
	25				5,940
Tea Warehouses:					
Elders .. .. .	4	1,400	9	1,409	
Assistant Elders .. .. .	14	—	—	1,840	
Extra Clerks .. .. .	—	—	—	—	
Deputy Assistant Elders .. .. .	10	—	—	875	
	28				4,124
Bengal and Coast Warehouse:					
Elders .. .. .	4	—	—	1,400	
Assistant Elders .. .. .	9	—	—	1,200	
Deputy Assistant Elders .. .. .	6	—	—	500	
	19				3,100
Private Trade Warehouse:					
Elders .. .. .	2	—	—	700	
Assistant Elders .. .. .	6	—	—	810	
Deputy Assistant Elders .. .. .	4	—	—	340	
	12				1,850

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

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—No. 36—continued.

The preceding Account—continued.

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Expenses.

1st May 1827.				
No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
	£.	£.	£.	£.
2	550	—	—	550
7	1,554	—	—	1,554
2	225	5	—	230
29	2,080	60	—	2,140
13	1,180	—	—	1,180
1	106	—	—	106
14	649	—	—	649
1	—	—	350	
2	—	—	320	
2	208	extra pay 39	247	
6	—	—	720	
1	—	—	130	
12	—	—	3,840	
24				5,607
4	—	—	1,400	
13	—	—	1,720	
1	{ Appointed 27th April } 1827, at £2 per week		104	
10	—	—	875	
28				4,099
3	—	—	1,050	
5	—	—	720	
6	—	—	500	
14				2,270
2	—	—	700	
6	—	—	810	
4	—	—	340	
12				1,850

13 May 1825, 1 Ass<sup>t</sup>. Surveyor appointed at £350 p' an.  
 21 June — 1 Ditto .. .. at 200 —  
 10 Dec. 1823, 3 Court-room Doorkeepers increased .. 60 —  
 { 22 Sept. 1825, 5 additional Watchmen appointed, .. at 350 —  
 Ditto — 4 ditto Firelighters .. at 360 —

18 Nov. 1818, 1st Assistant Elder's salary increased .. 50 p' an.  
 Ditto — 3d Ditto, at .. .. 30 —

Appointed 27 April 1827.

(continued on next page.)

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Appendix,—

The preceding Account—*c* continued.

Home  
Establishment  
Expenses.

ESTABLISHMENTS.	1st May 1817.				
	No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
Assistant Private Trade Warehouse :		£.	£.	£.	£.
Elders .. .. .	2	—	—	700	
Assistant Elders .. .. .	4	—	—	540	
Deputy Assistant Elders .. .. .	8	—	—	760	
	14				2,000
Pepper and Saltpetre Warehouse :					
Elders .. .. .	3	—	—	1,050	
Assistant Elders .. .. .	2	—	—	285	
Deputy Assistant Elders .. .. .	2	—	—	170	
	7				1,505
Baggage Warehouse :					
Elder .. .. .	1	—	—	350	
Assistant Elder .. .. .	—	—	—	—	
Extra Clerks .. .. .	2	260	71	331	
	3				681
Cloth Warehouse :					
Elder .. .. .	1	—	—	350	
Assistant Elders .. .. .	2	—	—	320	
Overlookers of Cloth .. .. .	4	—	—	120	
	7				790
Stationery Warehouse :					
Elder .. .. .	1	—	—	250	
Assistant Elder .. .. .	—	—	—	—	
Book-keeper .. .. .	1	—	—	130	
	2				380

—No. 36—*continued.*

The preceding Account—*continued.*

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Expenses.

1st May 1827.				
No.	Salaries and Allowances.	Gratuities and Extra Attendance beyond Official Hours.	TOTAL.	—
	£.	£.	£.	£.
2	—	—	700	
8	—	—	1,050	
7	—	—	650	
				2,400
17				
3	—	—	1,050	
2	—	—	300	
2	—	—	170	
				1,520
7				
1	—	—	150	
1	208	123	331	
				481
2				
1	—	—	350	
2	—	—	350	
4	—	—	120	
				820
7				
1	—	—	150	
1	—	—	200	
				350
2				

10th April 1821. Assistant Elders' Salaries increased £30 per annum.

(continued on next page.)



III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

The preceding Account—*continued*.

Home  
Establishment  
Expenses.

ESTABLISHMENTS.						1st May 1817.		
						No.	Salaries and Allowances.	TOTAL.
							£.	£.
Military Store Warehouse :								
Book-keeper	..	..	..	..	..	1	300	
Extra Clerk	..	..	..	..	..	—	—	
Sub Inspectors	..	..	..	..	..	3	525	
Examiners and Assistants	..	..	..	..	..	11	1,070	
								1,895
						15		
Naval Store Warehouse :								
Inspector of Ironmongery	..	..	..	..	..	1	156	
Labourers	..	..	..	..	..	5	281	
								437
						6		
Writers employed in the several Warehouses	..				..	125	At 3s. 6d. to 8s. 6d. per day ; extra time 6d. per hour, when their services are required.	10,876
Labourers employed in the several Warehouses	..				..	3,123	At 2s. to 4s. per day ; extra time 3d. to 6d. per hour, when their services are required.	146,993
Superannuated Writers at	..	Ditto	..	..	..	16	Pensions at from 6s. to 10s. 6d. per week.	405
Ditto .. Labourers	..	Ditto	..	..	..	321	Ditto .. 2s. to 13s. per week.	4,969

East-India House,  
31 October 1831.

—No. 36—*continued.*

The preceding Account—*continued.*

III.  
OFFICERS,  
ESTABLISHMENTS,  
&c.

Home  
Establishment  
Expenses.

1st May 1827.			
No.	Salaries and Allowances.	TOTAL.	
	[ £.	£.	
1	300		18th Oct. 1815, 1 Book-keeper appointed at £200 p' an.
1	184		15th Jan. 1817, Salary of ditto increased .. 100 —
3	550		31st May 1820, sundry increases of Salary 210 —
17	2,065		26th Feb. 1823 .. .. ditto .. .. 115 —
		3,099	14th Jan. 1824, Sub-inspector .. ditto .. 25 —
22			Ditto .. Examiner .. .. ditto .. 20 —
			15th Feb. 1825, Sub-inspector appointed 175 —
			Ditto .. Examiner .. .. ditto .. 100 —
1	156		
6	379		
		535	
7			
131	At 3s. 9d. to 8s. 6d. per day; extra time 9d. per hour, when their services are required.	13,161	<i>Memorandum.</i> —The Extra Clerks on the establish- ment receive periodical increases of Salary, according to their length of service, by the following graduated scale:
3,320	At 2s. to 4s. 9d. per day; extra time 3d. to 6d. per hour, when their services are required.	176,617	Until 5 years' service .. £2 0 per week.
25	Pensions at from 6s. to 37s. per week.	1,240	From 5 to 10 ditto .. 2 5 —
347	Ditto .. 3s. to 12s. 6d. per week.	7,384	10 to 15 ditto .. 2 10 —
			15 to 20 ditto .. 3 0 —
			20 to 25 ditto .. 3 10 —
			25 years and upwards 4 0 —

(Errors excepted)

THOS. G. LLOYD,  
Acct. Gen.



## **IV.**

**LICENSES OR CERTIFICATES,**

**&c.**

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## IV.

LICENSES,  
&c.For Ships and  
Persons.

Appendix,—

AN ACCOUNT of all SUMS received at the East-India House on granting LICENSES or guishing those received on account of Officers in the Civil and Military Service of His or others; and distinguishing also the Amount for Stamp from the Amount from the 10th April 1814 to the 10th April 1831.

## OFFICERS in the Civil and Military Service of HIS MAJESTY and the EAST-INDIA COMPANY.

YEAR.				Number of Persons.	Amount of STAMPS.			Amount of FEES.			TOTAL.		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
1814-15	..	..	..	—	—			—			—		
1815-16	..	..	..	—	—			—			—		
1816-17 (a)	..	..	..	—	—			—			—		
1817-18	..	..	..	207	1,337	5	0	1,734	0	0	3,071	5	0
1818-19	..	..	..	176	1,435	15	0	1,440	10	0	2,876	5	0
1819-20	..	..	..	616	1,703	5	0	2,405	15	0	4,109	0	0
1820-21	..	..	..	680	1,786	10	0	2,692	15	0	4,479	5	0
1821-22	..	..	..	617	1,800	15	0	2,408	0	0	4,208	15	0
1822-23	..	..	..	445	1,834	5	0	2,314	10	0	4,148	15	0
1823-24	..	..	..	565	1,063	0	0	2,207	0	0	3,270	0	0
1824-25	..	..	..	573	1,086	5	0	2,107	5	0	3,193	10	0
1825-26	..	..	..	712	2,341	0	0	3,365	10	0	5,706	10	0
1826-27	..	..	..	728	2,114	10	0	3,028	5	0	5,142	15	0
1827-28	..	..	..	731	2,276	10	0	3,664	5	0	5,940	15	0
1828-29	..	..	..	612	1,222	15	0	2,662	10	0	3,880	5	0
1829-30	..	..	..	483	1,493	0	0	2,847	15	0	4,340	15	0
1830-31	..	..	..	389	1,436	15	0	2,284	10	0	3,721	5	0

(a) Fees were abolished on Private Account in 1815; but no regular account of what was received subsequently was kept until May 1817.

East-India House,  
11 August 1831.

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CERTIFICATES, or CERTIFICATES for SHIPS and PERSONS proceeding to the East-Indies; distinct-Majesty and the East-India Company, from those received on account of Private Merchants for Fees; specifying the Total Amount and the Number of Persons of each Class in each Year,

IV.  
LICENSES,  
&c.

For Ships and  
Persons.

PRIVATE MERCHANTS and OTHERS.				LICENSES or CERTIFICATES for SHIPS.			
Number of Persons.	Amount of STAMPS.			Number of Ships.	Amount of STAMPS.		
	£.	s.	d.		£.	s.	d.
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—
539	1,405	5	0	146	620	10	0
535	1,191	15	0	170	722	10	0
589	971	5	0	89	378	5	0
562	1,029	10	0	95	403	0	0
653	1,114	15	0	103	437	15	0
722	1,228	10	0	92	391	0	0
665	948	15	0	31	131	15	0
724	1,104	10	0	(b)	—	—	—
687	1,114	15	0	—	—	—	—
688	1,227	15	0	—	—	—	—
828	1,374	15	0	—	—	—	—
593	999	5	0	—	—	—	—
611	843	10	0	—	—	—	—
545	870	15	0	—	—	—	—

(b) Licenses were not required subsequently to 1823-24.

(Errors excepted)

P. AUBER,  
Secretary.

## Appendix, No 38.

## Security Bonds.

A STATEMENT exhibiting the Number and Amount in Value of all SECURITY BONDS exacted by the EAST-INDIA COMPANY from Persons proceeding to the East-Indies in each Year, from the 10th of April 1814 to the 10th of April 1831; distinguishing the Bonds exacted from Parties in the Service of the EAST-INDIA COMPANY from those exacted from Private Persons; and specifying the Cases, if any, in which Prosecutions have been instituted for the Penalties of Breaches of such Bonds, and the Amount of such Penalties received.

Parties in the East-India Company's Service.			Private Persons.		
YEARS.	Number of Bonds.	Amount of Penalty.	YEARS.	Number of Bonds.	Amount of Penalty.
		£.			£.
1814-15 ..	67	46,500	1814-15 ..	275	132,700
1815-16 ..	94	72,500	1815-16 ..	336	185,400
1816-17 ..	89	63,500	1816-17 ..	308	152,500
1817-18 ..	82	107,500	1817-18 ..	324	104,600
1818-19 ..	91	74,000	1818-19 ..	289	135,400
1819-20 ..	96	82,500	1819-20 ..	280	113,200
1820-21 ..	125	107,000	1820-21 ..	316	139,300
1821-22 ..	143	96,000	1821-22 ..	330	131,000
1822-23 ..	117	108,500	1822-23 ..	371	157,200
1823-24 ..	99	83,500	1823-24 ..	368	157,500
1824-25 ..	97	79,500	1824-25 ..	396	188,800
1825-26 ..	142	136,000	1825-26 ..	332	174,700
1826-27 ..	188	142,000	1826-27 ..	354	170,200
1827-28 ..	134	141,500	1827-28 ..	410	193,700
1828-29 ..	97	91,500	1828-29 ..	328	145,200
1829-30 ..	99	113,000	1829-30 ..	281	131,200
1830-31 ..	65	82,500	1830-31 ..	268	101,900

No Prosecutions have been instituted for the Penalties of Breaches of these Bonds.

V.

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REVENUE  
AND  
JUDICIAL SYSTEM  
OF  
INDIA.



## Appendix, No. 39.

Rammohun Roy's  
Opinions.COPY of COMMUNICATIONS between RAMMOHUN ROY and the Board of  
Control, relative to the REVENUE and JUDICIAL SYSTEM of INDIA.

## ON THE REVENUE SYSTEM OF INDIA.

*Question.* 1. By what tenure is land held in the provinces with which you are acquainted?

*Answer.* In the provinces of Bengal, Behar, and part of Orissa (Midnapoor), land is now held by a class of persons called zamindars (*i. e.* landholders), who are entitled to perpetual hereditary possessions, on condition of paying to government a certain revenue, fixed on their respective lands. This is termed the zamindary system. But in the ceded and conquered provinces, belonging to the presidency of Fort William, no fixed agreement has yet been made with the zamindars, as to the amount of assessment; consequently their estates are not in their own hands, but under the immediate management of government, and subject to fresh assessments from time to time, at its discretion.

In the Madras presidency the revenue is, for the greater part, collected directly from the cultivators (called ryots), according to the rate fixed on the different descriptions of land in various situations, by the government revenue officers. These cultivators may retain possession as long as they pay the revenue demanded from them.

*Q. 2.* By what tenure was land held under the former government?

*A.* Under the Mahomedan government lands were held by hereditary right on the zamindary system (though the revenue was sometimes arbitrarily increased), and the zamindars were considered as having a right to their respective estates, so long as they paid the public revenue. They were at the same time responsible for any breach of the peace committed within the limits of their estates. In this manner many estates, some of which can yet be referred to, such as Vishnapore, Nuddea, &c., continued in the same family for several centuries.

*Q. 3.* Do persons of all religious sects hold by the same tenure?

*A.* No religious or other distinctions were observed under the former government, in regard to the holding of land; at present Europeans are interdicted by law from becoming proprietors of land, except within the jurisdiction of the British courts of law at the three presidencies, Calcutta, Madras, and Bombay.

*Q. 4.* Are the estates most usually large or small?

*A.* In the Bengal presidency the estates are many of them considerable, and there are many others of various smaller sizes. But in the Madras presidency, where the revenue is collected directly from the cultivators, the district is generally divided into small farms.

*Q. 5.* Do the proprietors cultivate their own estates, or let them to tenants?

*A.* To the best of my knowledge almost all the land in the Bengal presidency is let out by the proprietors in farms, on a larger or smaller scale.

*Q. 6.* On

Q. 6. On what terms are the farms rented?

A. The farms are frequently rented by the zamindar himself to cultivators, often on lease for payment of a certain fixed rent; and frequently the zamindar lets the whole or a great part of his zamindary to respectable individuals, who realize the rents from the cultivators according to the contracts previously made with them by the zamindars, or subsequently by these middlemen.

Q. 7. Does the ordinary rate of rent seem to press severely on the tenants?

A. It is considered in theory that the cultivator pays half the produce to the landholder, out of which half ten-elevenths or nine-tenths constitute the revenue paid to government, and one-tenth or one-eleventh the net rent of the landholder. This half of the produce is a very heavy demand upon the cultivator, after he has borne the whole expense of seed and cultivation; but in practice, under the permanent settlement since 1793, the landholders have adopted every measure to raise the rents, by means of the power put into their hands.

Q. 8. Under the former government had the cultivator any right in the soil, to cultivate in perpetuity, on paying a fixed rent, not subject to be increased?

A. In former times khud-kasht ryots (*i. e.* cultivators of the lands of their own village), were considered as having an absolute right to continue the possession of their lands in perpetuity, on payment of a certain fixed rent, not liable to be increased.<sup>1</sup> But under an arbitrary government, without any regular administration of justice, their acknowledged rights were often trampled upon. From a reference to the laws and the histories of the country, I believe that lands in India were individual property in ancient times. The right of property seems, however, to have been violated by the Mahomedan conquerors in practice; and when the British power succeeded that of the Mahomedans, the former naturally adopted and followed up the system which was found to be in force, and they established it both in theory and practice.

Q. 9. Are the tenants now subjected to frequent increases of rent?

A. At the time when the permanent settlement was fixed in Bengal (1793), government recognized the zamindars (landholders) as having alone an unqualified proprietary right in the soil, but no such right as belonging to the cultivators (ryots). [*Vide* Reg. I. & VIII. of 1793, the foundation of the permanent settlement.]

But by article 2d, of section 60, of Regulation VIII. of 1793, government declared that no one should cancel the pottahs (*i. e.* the title deeds), fixing the rates of payment for the lands of the khud-kasht ryots (peasants cultivating the lands of their own village), "except upon proof that they had been obtained by collusion;" or, "that the rents paid by them within the last three years had been below the nirk-bandū (general rate) of the purgunnah" (particular part of the district where the land is situated); or, "that they had obtained collusive deductions;" or, "upon a general measurement of the purgunnah, for the purpose of equalizing and correcting the assessment." In practice however, under one or other of the preceding four conditions, the landholders (zamindars) through their local influence and intrigues, easily succeeded in completely setting aside the rights, even of the khud-kasht cultivators, and increased their rents.

Q. 10. In what manner was the revenue assessed by government upon each estate, and upon what principle at the time of the permanent settlement?

A. In the province of Bengal, at the time of the permanent settlement (in 1793), the amount of revenue which had been paid on each estate (zamindary) in the preceding year, was taken as a standard of assessment, subject to certain modifications: estates (taalūks) which had paid a revenue directly to government for the twelve years previous, without

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fluctuation, were to be assessed at that rate; and the principle of that assessment was considered to be nearly one-half of the gross produce. In Behar and other places the gross amount of the rents arising from an estate was fixed upon as the rate of government assessment, allowing, however, a deduction of 10 per cent. to the landholder (zamindar), in the name of proprietor's dues (mālikānah), and also something for the expense of collecting the rents, &c. In the upper provinces attached to the Bengal presidency, as before observed, no settlement has yet been concluded with the zamindars (landholders). The estates (zamindarys) are sometimes let out by government to the highest bidder, to farmers of revenue on leases of a few years, and in other cases the rents are collected from the cultivators by the government officers.

Q. 11. On what principle do the proprietors of land regulate the rate of rent paid by the tenant?

A. The different fields or plots of ground on an estate, are classed into first, second, third and fourth quality, and certain rates per bigah (a well known land measure in India) are affixed to them respectively, agreeably to the established rates in the district. These rates are considered as a standard in settling the rent to be paid by the cultivators; but as the precise quality of land is always liable to dispute, and fields may be classed in the first, second, third or fourth quality, according to the discretion of the zamindars, or government surveyors; and the measurement is also liable to variation, through the ignorance, ill-will or intentional errors of the measurers. There is *in practice* no fixed standard to afford security to the cultivators for the rate or amount of rent demandable from them, although such a standard is laid down *in theory*.

Q. 12. Is the rent any specific proportion of the gross produce of the land?

A. In theory the rent is estimated, as I before observed, at half the gross produce of the land; it is often increased, however, much beyond that amount by various means; but in places peculiarly subject to have the crops destroyed by sudden inundation, or any other casualty, villagers cultivate generally on condition of receiving half the gross produce, and delivering the other half to the landlord (zamindar).

Q. 13. Is the rent paid in money, in agricultural produce, or in labour?

A. The rent is generally paid in money, except under peculiar circumstances, when the agreement is to pay half the gross produce as rent; and it is sometimes paid by labour, when some of the villagers enter the service of the landlord (zamindar) on condition of holding certain lands in lieu of their services.

Q. 14. If any money or produce, at what periods of the year, and in what proportions?

A. The money-rent is usually paid by monthly instalments, the heaviest payments being made when the harvest is realized, and the payments in produce, of course exclusively at that season.

Q. 15. Is the revenue in many instances collected by government directly from the cultivators, and not from the proprietors, or any set of middlemen?

A. Yes, very commonly in the Madras presidency, and sometimes in the ceded and conquered provinces, as above observed (Ques. 10). Also when lands advertised for sale, in order to realize arrears of revenue, do not find purchasers, they may remain temporarily on the hands of government.

Q. 16. In the event of a proprietor or cultivator falling into arrears in his instalments of revenue, what means are adopted by the government for realizing it?

A. Various

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A. Various modes have been adopted; but the usual mode now followed with respect to landholders (zamindars) is, that at the expiration of every third month of the revenue year, should any balance of revenue remain unpaid, the estate in arrear may be advertised for sale.

Q. 17. Is the person of the proprietor liable to be arrested for the revenue?

A. Should the arrear of revenue due not be realized by the sale of the estate, the person of the proprietor may be seized.

Q. 18. What proportion of the revenue may fall into arrear in one year, or what proportion of land may be subject to legal process by the public authorities for its recovery?

A. Perhaps two-fifths or one-half of the whole revenue are usually in arrear, on an average, taking the whole year round, and more than one-half of the estates are advertised for sale every year, but comparatively few are actually sold, as many of the proprietors contrive, when pressed by necessity, to raise the money by loan or otherwise.

Q. 19. In the event of the tenants falling into arrear with their rents, what means do the proprietors adopt for realizing it?

A. They distrain their moveable property, with some exceptions, by the assistance of the police officers, and get it sold by means of the judicial authorities.

Q. 20. Do the courts afford the same facilities to the proprietors for recovering their rents, as to the government for realizing its revenue?

A. When the revenue of an estate falls into arrear, the government, of its own authority, sells the property. But the proprietor cannot sell the property of a cultivator, except by means of the judicial authority, which, however, generally expedites the recovery of such balances.

Q. 21. In the event of a sale of land for revenue, what mode does the collector adopt in bringing it to sale?

A. When, at the end of the revenue quarter or year, as before explained, a balance remains due, a notice is put up in the collector's office (Cutcherry), announcing that the lands are to be sold, unless the balance of revenue be paid up within a certain period. On the expiration of this period, the lands may be sold to the highest bidder at public auction by the collector, under the sanction of the Board of Revenue.

Q. 22. What period of indulgence is given to the defaulter before the sale takes place?

A. A space of from one month to six weeks, and not less than the former period, from the time of advertising, is allowed for paying up the arrears before the sale can actually take place.

Q. 23. What previous warning is given to him to pay up his arrears; what length of notice of the intended sale is given to the public, and in what mode is the notice published?

A. First, the collector sends a written order to the defaulting landholder, demanding payment of the arrears due: failing this, a catalogue of the various estates for sale is inserted in the Government Gazette, and the particulars of each are advertised in the office of the collector, and of the judicial court, and the Board of Revenue.

Q. 24. What class of persons become the principal purchasers?

A. Frequently

A. Frequently other landlords become purchasers, and sometimes the proprietors themselves, in the name of a trusty agent; sometimes persons engaged in trade, and sometimes the native revenue officers, in the name of their confidential friends.

Q. 25. What proportion of the land is purchased by the revenue officers?

A. The proportion purchased by the revenue officers is now, comparatively, very small.

Q. 26. Do they conduct the sales fairly, or turn their official influence to their own private advantage?

A. As such publicity is not given to the notices of sales as the local circumstances require, native revenue officers have sometimes an opportunity, if they choose, of effecting purchases at a reduced price; since the respectable natives in general, living in the country, are not in the habit of reading the Government Gazette, or of attending the public offices; and in respect to estates of which the business is transacted by agents, by a collusion with them the estates are sometimes sold at a very low price.

Q. 27. Can you suggest any plan for obviating abuses of this kind?

A. 1st. The advertisements or notices of sale should first be regularly sent to the parties interested, at their own residences, not merely delivered to their agents. 2dly. They should be fixed up, not only in the government offices, but in the chief market places and ferries (ghāts) of the district, also in those of the principal towns, such as Calcutta, Patna, Murshedābād, Benares, Cawnpore. 3dly. The police officers should be required to take care that the notices remain fixed up in all these situations, from the first announcement till the period of sale. 4thly. The day and hour of sale being precisely fixed, the biddings for an estate should be allowed to go on for a specific period, not less than five minutes, that all intending purchasers may have an opportunity of making an offer; and the lapse of that period should be determined by a proper measure of time, as a sand-glass, placed on the public table, for general satisfaction.

Q. 28. When a cultivator fails to pay his rent, does the proprietor distrain or take possession of the tenant's moveables by his own power, or by applying to any legal authority?

A. Already answered (*see* Ques. 19).

Q. 29. Does the legal authority seize upon both the moveable and immoveable property, and the person of the tenant, for his rent?

A. 1st. On a summary application to the police, the moveable property of the tenant, with some exceptions, is distrained by the help of the police officers. 2dly. By the ordinary judicial process, the immoveable property of the tenant may be attached, and his person arrested, for the recovery of the rent.

Q. 30. What is the condition of the cultivator under the present zemindary system of Bengal, and ryotwary system of the Madras presidency?

A. Under both systems the condition of the cultivators is very miserable; in the one they are placed at the mercy of the zamindar's avarice and ambition, in the other they are subjected to the extortions and intrigues of the surveyors and other government revenue officers: I deeply compassionate both, with this difference, in regard to the agricultural peasantry of Bengal, that there the landlords have met with indulgence from government in the assessment of their revenue, while no part of this indulgence is extended towards the poor cultivators. In an abundant season, when the price of corn is low, the sale of their

their whole crops is required to meet the demands of the landholder, leaving little or nothing for seed or subsistence to the labourer or his family.

Q. 31. Can you propose any plan of improving the state of the cultivators and inhabitants at large?

A. The new system acted upon during the last forty years having enabled the landholders to ascertain the full measurement of the lands to their own satisfaction, and by successive exactions, to raise the rents of the cultivators to the utmost possible extent, the very least I can propose, and the least which government can do for bettering the condition of the peasantry, is absolutely to interdict any further increase of rent on any pretence whatsoever; particularly on no consideration to allow the present settled and recognized extent of the land to be disturbed by pretended re-measurements; as in forming the permanent settlement (Reg. I. of 1793, sec. 8, art. 1st), the government declared it to be its right and its duty to protect the cultivators, "as being in their situation most helpless," and that the landlord should not be entitled to make any objection on this account. Even in that Regulation (VIII. of 1793, sec. 60, art. 2d), the government plainly acknowledged the principle of the khud-kasht cultivators having a perpetual right in the lands which they cultivated; and accordingly enacted that they should not be dispossessed, or have their title-deeds cancelled, except in certain specified cases, applicable of course to that period of general settlement (1793), and not extending to a period of forty years afterwards. If government can succeed in raising a sufficient revenue otherwise by means of duties, &c. or by reducing their establishments, particularly in the revenue department, they may then in the districts where the rents are very high, reduce the rents payable by the cultivators to the landholders, by allowing to the latter a proportionate reduction. On this subject I beg to refer to a paper (Appendix A.) which I drew up some time before leaving Bengal, which, with some additional hints and quotations, is subjoined.

Q. 32. Are the zamindars in the habit of farming out their estates to middlemen, in order to receive their rents in an aggregate sum, authorizing the middlemen to collect the rent from under tenants; and if so, how do the middlemen treat the cultivators?

A. Such middlemen are frequently employed, and are much less merciful than the zamindars.

Q. 33. When the cultivators are oppressors by the zamindars, or middlemen, are the present legal authorities competent to afford redress?

A. The judicial authorities being few in number, and often situated at a great distance, and the landholders and middlemen being in general possessed of great local influence and pecuniary means, while the cultivators are too poor and too timid to undertake the hazardous and expensive enterprise of seeking redress, I regret to say that the legal protection of the cultivators is not at all such as could be desired.

Q. 34. Can you suggest any change in the revenue or judicial system which might secure justice and protection to the cultivators against the oppression of the zamindars, middlemen, or officers of government?

A. I have already suggested (*see* Q. 31.) that no further measurements or increase of rent, on any pretence whatever, should be allowed. 2dly. Public notices in the current languages of the people, stating these two points, should be stuck up in every village; and the police officers should be required to take care that these notices remain fixed up at least twelve months, and to prevent any infringement thereof, on receiving information of any attempt at re-measurement on the part of any landholder (zamindar), &c. 3dly. Any native judicial commissioner for small debts (munsif), who is authorized to sell distressed property

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property for the recovery of rent, should be required not to proceed to sale unless fully satisfied that the demand of the zamindar had not exceeded the rate paid in the preceding year; and if not satisfied of this, he should immediately release the property by application to the police. 4thly. That the judge or magistrate be required to hold a court one day in the week for cases of this kind, and on finding any zamindar guilty of demanding more than the rent of the preceding years, should subject such offender to a severe fine; and on discovering any police officer or native commissioner guilty of connivance or neglect, he should subject them to fine and dismissal from office. 5thly. The judge or magistrate in each district should be directed to make a tour of the district once a year in the cold season, in order to see that the above laws and regulations for the protection of the poor peasantry are properly carried into effect. 6th and lastly. The collector should be required to prepare a general register of all the cultivators, containing their names, their respective portions of land and respective rents as permanently fixed according to the system proposed.

Q. 35. Is the condition of the cultivators improved within your recollection of the country?

A. According to the best of my recollection and belief, their condition has not been improving in any degree.

Q. 36. Has the condition of the proprietors of land improved under the present system of assessment?

A. Undoubtedly: their condition has been much improved, because being secured by the permanent settlement against further demands of revenue, in proportion to the improvement of their estates, they have in consequence brought the waste lands into cultivation, and raised the rents of their tenantry, and thus increased their own incomes, as well as the resources of the country.

Q. 37. Has the government sustained any loss by concluding the permanent settlement of 1793 in Bengal, Behar, and part of Orissa, without taking more time to ascertain the net produce of the land, or waiting for further increase of revenue?

A. The amount of assessment fixed on the lands of these provinces at the time of the permanent settlement (1793) was as high as had ever been assessed, and in many instances higher than had ever been before realized by the exertions of any government, Mahomedan or British; therefore the government sacrificed nothing in concluding that settlement. If it had not been formed, the landholders (zamindars) would always have taken care to prevent the revenue from increasing by not bringing the waste lands into cultivation, and by collusive arrangements to elude further demands; while the state of the cultivators would not have been at all better than it is now. However, if the government had taken the whole estates of the country into its own hands, as in the ceded and conquered provinces and the Madras presidency, then, by allowing the landholders only ten per cent. on the rent (malikānah), and securing all the rest to the government, it might no doubt have increased the revenue for a short time. But the whole of the landlords in the country would then have been reduced to the same wretched condition as they are at present in the ceded and conquered provinces of the Bengal presidency, or rather annihilated, as in many parts of the Madras territory, and the whole population reduced to the same level of poverty; at the same time, the temporary increase of revenue to government, under its own immediate management, would also have soon fallen off, through the misconduct and negligence of the revenue officers, as shown by innumerable instances in which the estates were kept *khās*, *i. e.* under the immediate management of government.

Q. 38. Why

Q. 38. Why are lands so frequently sold for arrears of revenue, and transferred from one set of hands to another?

A. For ten or twelve years after the introduction of the permanent settlement, the old zamindars, from adhering to their ancient habits of managing their estates by agents, and neglecting their own affairs, very soon lost a great part of their lands, and some the whole; the purchasers, by their active exertions and outlay of capital, improved many of their estates, and increased their own fortune; but many of their heirs and successors again becoming less active and more extravagant, by rivalry with each other in nuptial entertainments, funeral rites, and other religious ceremonies, frequently ran into debt, and brought their estates again into the market.

Q. 39 and 40. Do the lands sold for arrears usually realize the revenue claimed by government, and fetch their full value; if not, what is the cause of the depreciation?

A. They generally realize the revenue due from them; not always, however, as they are sold sometimes even below the amount of arrears due by the proprietors, owing to the want of due publicity, and consequent absence of competitors, or some collusive sales of the estate, as before observed. (See Answer to Question 26.)

Q. 41. After the sale of the lands, should the arrears not be realized, does the government seize upon the person of the proprietor?

A. Yes, the government seizes his person, and any other property government may discover him to be possessed of is sold.

Q. 42. If so, is there any limit to his confinement, except payment of the debt?

A. There is no specified limit to the best of my recollection; but after government is satisfied that he has given up all his property, he may obtain his release from its humanity.

Q. 43. Have the cultivators any means of accumulating capital under the present system?

A. Certainly not; very often, when grain is abundant, and therefore cheap, they are obliged, as already observed, to sell their whole produce to satisfy the demands of their landlords, and to subsist themselves by their own labour. In scarce and dear years they may be able to retain some portion of the crop to form a part of their subsistence, but by no means enough for the whole. In short, such is the melancholy condition of the agricultural labourers, that it always gives me the greatest pain to allude to it.

Q. 44. When the government makes an assessment on the fields of the cultivators, by means of numerous subordinate officers, is there any effectual mode of preventing collusion, embezzlement or oppression in the valuing and measuring of the lands?

A. I think it is almost impossible under that system, carried on as it must be by means of a vast number of individuals who are generally poor and have no character to support. From their mismanagement, not only the cultivators suffer, but ultimately the government itself, from the falling off in the revenue, under a system which at once presses down the people and exhausts the resources of the country. However, if the government would take the survey and assessment of one of the preceding years as a standard, and prevent any future measurement and assessment, it would relieve the cultivators



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cultivators, from the apprehension of further exactions,\* and the collector or the registrar of the district should be authorized to grant reduction to any cultivator subjected to over-measurement, on being petitioned and on personally ascertaining such to have occurred.

Q. 45. Are collectors generally competent to superintend personally the revenue affairs of their district?

A. From the heat of the climate, and from the difficulty of transacting business in a language which is foreign to them, the collectors in general, for the above reasons, must stand in need of aid from others, whom they employ as instruments in conducting the details; at the same time they have so little intercourse or acquaintance with the native inhabitants, that they must naturally depend chiefly on two or three persons who are around them, in whom they generally place confidence, and consequently these few, who have no chance of bettering their condition, from the trifling salaries allowed them, sometimes consult their own interests rather than those of the government or the people.

Q. 46. Are the collectors vested with sufficient power to perform effectually the duties attached to their office, or do they enjoy authority of an extent to be injurious to the public?

A. Their powers are amply sufficient. The judicial authorities also are always required by the Regulations of government, to afford them promptly every necessary assistance in the discharge of their duties; and many collectors are even invested with the additional office and powers of magistrates, contrary to the judicious system established by Lord Cornwallis, and to the common principles of justice, as they thus became at once parties and judges in their own case; consequently, such powers very often prove injurious to those who attempt to maintain their own rights against the claims of government, whose agents the collectors are. I much regret such a wide deviation in principle from the system of Lord Cornwallis, as I think that system, with such modifications and improvements as time may suggest, should be maintained, as the basis of the revenue and judicial systems of India.

Q. 47. Can you suggest any improvement which might secure the revenue to government and protection to the people?

A. The Regulations already in force are fully adequate to secure the government revenue. But to secure the people against any unjust exactions on the part of the revenue officers, I would propose, first, that the collectors should not by any means be armed with magisterial powers. Secondly, that any charge against the revenue officers should be at once investigated by the judicial courts to which they are subject, without reference to the number of cases on the file of the court, as has been the practice with regard to causes in which the collectors are prosecutors, so that both parties may have an equal chance of legal redress. This seems to be the best remedy that presents itself under existing circumstances; but, with the present system, I must repeat my fears, that redress will not always be attainable.

Q. 48. Would it be injurious or beneficial to allow Europeans of capital to purchase estates and settle on them?

A. If Europeans of character and capital were allowed to settle in the country, with the

\* *Nota*.—Since writing the above, I happened to meet with a gentleman from Madras, of high talents and experience, who maintained that no further measurement or assessment is at all allowed in the provinces belonging to that presidency: I felt gratified at the intelligence, and shall feel still more so to find it confirmed by the Regulations of government.

the permission of the India Board, or the Court of Directors, or the local government, it would greatly improve the resources of the country, and also the condition of the native inhabitants, by showing them superior methods of cultivation, and the proper mode of treating their labourers and dependents.

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Q. 49. Would it be advantageous, or the reverse, to admit Europeans of all descriptions to become settlers?

A. Such a measure could only be regarded as adopted for the purpose of entirely supplanting the native inhabitants, and expelling them from the country; because it is obvious that there is no resemblance between the higher and educated classes of Europeans, and the lower and uneducated classes. The difference in character, opinions and sentiments between the European and the Indian race, particularly in social and religious matters, is so great, that the two races could not peaceably exist together as one community, in a country conquered by the former, unless they were assimilated by constant intercourse, continued and increased for a long period of years, under a strong and rigorous system of police in every village, large or small; an establishment so expensive, however, that the present revenues of India could not support it. Such assimilation has in some measure taken place at Calcutta, from the daily communication of many of the respectable members of both communities; yet even in that capital, though the seat of government, and numerous police officers are placed at almost every one hundred yards, the common Europeans are often disposed to annoy the native inhabitants. By the above statement, I do not mean to convey that there are not any honest and industrious persons among the European labourers; on the contrary, I believe, that amongst the very humblest of classes of society such characters are numerous: but, even in justice to them, I deem it right to state, that without capital they could not, in a hot country, compete with the native labourers, who are accustomed to the climate, and from their very different habits of life in regard to food, clothes and lodging, can subsist on at least one-sixth, if not one-tenth, of what is required by an European labourer; consequently the latter would not find his situation at all improved, but the very reverse, by emigrating to India.

Q. 50. Would the judicial system, as at present established, be sufficient to control the European settlers in the interior of the country?

A. At present British-born subjects are not amenable to the Company's courts, except as regards small debts under 500 rupees (about £50), and for petty cases of assault. Consequently, under the present Regulations, the courts as now established are by no means competent to exercise any adequate control over British-born subjects in the interior.

Q. 51. Would it be advisable to extend the jurisdiction of the King's courts already established at the presidencies, or to augment their number, or to give greater power to the Company's judges over the European settlers?

A. If the expenses attending the King's courts could be reduced to a level with the costs of the Company's courts, it would be useful and desirable to increase the number of such courts to the same extent as that of the Company's courts of appeal at present, if Europeans of respectability are permitted to settle freely in the interior. But should such reduction of expense be impracticable, it seems necessary in that event to extend the power of the Company's courts under the judicial servants of the Company. In the latter case these judicial servants should be regularly educated as barristers, in the principles of British law, or the British settlers must consent to be subject to the present description of judicial officers, under such rules and regulations as the local government of India establishes for the rest of the inhabitants of the country. With regard to the extension of the jurisdiction of the King's courts already established at the presidencies, although in these courts justice is, I think, ably administered, yet it is at an expense so

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enormous to the parties, and to the community, that even so wealthy a city as Calcutta is unable to support its exorbitant costs, to which two successive grand juries have called the attention of the judges without any effect.

Q. 52. How would the settlement, on a large scale, of Europeans of capital in the country improve its resources?

A. As a large sum of money is now annually drawn from India by Europeans retiring from it with the fortunes realized there, a system which would encourage Europeans of capital to become permanent settlers with their families, would necessarily greatly improve the resources of the country.

Q. 53. Is there any portion of land in the provinces with which you are acquainted free from public assessment?

A. There is land of this description, and in some districts to considerable extent.

Q. 54. Have any measures been adopted by government to ascertain the validity of the title by which such lands are held free from assessment? or have any of them been resumed, and under what circumstances?

A. In Regulation XIX. of 1793, Lord Cornwallis, the Governor-General in Council, directed the revenue collectors to enquire into the validity of the titles of such lands; and in case of there being any doubt as to their validity, to institute prosecutions so as to have them judicially investigated; and in the event of the parties in possession of the land failing to establish a valid title in the court, the lands might, by a decree of the court, be resumed by the collectors on behalf of government. But the government declared, in the preamble of that Regulation, that no holder of such tax-free (tākhirāj) lands should be deprived of them, or subjected to revenue, until his title should be judicially investigated, and "adjudged invalid by a final judicial decree." However, I feel bound to add, that in 1828, by Regulation III. of that year, the revenue collector in each district was authorized to dispossess the holders of such tax-free lands by his own authority, without reference to any judicial court, if the collector should be of opinion, after such inquiry as might satisfy himself, that the title of the proprietor was not valid. It is therein enacted, Sec. 4, Art. 1, that "such decision of the collector shall have the force and effect of a decree." Also Art. 2, that "it shall not be necessary for him to transmit his proceedings to the Board of Revenue;" but the party dispossessed might appeal. And by Art. 3, whether an appeal be filed or not, "that it shall and may be lawful for the collector immediately to carry into effect his decision by attaching and assessing the lands." This Regulation produced great alarm and distrust amongst the natives of Bengal, Behar, and Orissa, many of whom petitioned against the principle of one party, who lays claim to the land, dispossessing an actual possessor at his own discretion; and Lord William Bentinck, though he has not rescinded the Regulation, has suspended the immediate execution of it for the present.

London, 19th August 1831.

RAMMOHUN ROY.

### Appendix (A.)

#### FIRST PAPER on the REVENUE SYSTEM of INDIA.

VARIOUS opinions are entertained by individuals with regard to the Perpetual Settlement of Public Revenue, concluded according to Regulation I. of 1793, with proprietors of land in the provinces of Bengal, Behar, and Orissa, and arguments resting on different principles have been adduced for and against this system; no room is therefore left for throwing

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throwing any new light on the subject. We, however, may safely advance so far as to admit the settlement to be advantageous to both the contracting parties, though not perhaps in equal proportion.

2. To convince ourselves in the first instance of the accuracy of the opinion, that the perpetual settlement has proved advantageous to government, a reference to the revenue records of the former and present rulers will I think suffice. No instance can be shown in those records, in which the sum assessed and annually expected from these provinces was ever collected with equal advantage prior to the year 1793. To avoid the demand of an increase of revenue on the part of government, proprietors in general used then wilfully to neglect the cultivation, which very often proved utterly ruinous to themselves, and excessively inconvenient to government, in managing, farming, or selling such estates for the purpose of realizing their revenues.

3. Such persons as have directed their attention to the revenue records of government, must have been struck with the extreme difference existing between the rate of value at which estates usually sold prior to the year 1793, or even for several years subsequent to that period, and the common price which the disposal of those estates now obtains to government or individuals at public or private sales; and it will not, I believe, be alleged that I am far wrong, when I say that this increase in general may be reckoned tenfold, and in some instances twenty. This enormous augmentation of the price of land is principally to be attributed to the extensive cultivation of waste lands which has taken place in every part of the country, and to the rise of rents payable by the cultivators, and not to any other cause that I can trace.

4. It is true the common increase of wealth has an irresistible tendency to augment the price, without improving change in the property; but when we reflect on the extent of overwhelming poverty throughout the country (towns and their vicinity excepted), we cannot admit that increase of wealth in general has been the cause of the actual rise in the value of landed estates. To those who have ever made a tour of these provinces, either on public duty or from motives of curiosity, it is well known that within a circle of a hundred miles in any part of the country, there are to be found very few, if any, besides proprietors of land, that have the least pretension to wealth or independence, or even the common comforts of life.

5. It has been asserted, and perhaps justly, that much of the increased wealth of Bengal in late years, is to be ascribed to the opening of the trade in 1814, thereby occasioning a greatly-increased demand for the produce of lands. In as far, however, as this cause may have operated to increase wealth, it is confined to landlords and dealers in commodities.

6. Besides, government appropriates to itself an enormous duty on the transit and exportation of the produce of the soil, which has, since the period of the perpetual settlement, increased to a great amount from the exertions of the proprietors, in extending and improving cultivation, under the assurance that no demand of an increase of revenue would be made upon them, on account of the progressive productiveness of their estates.

7. In the second place, that the perpetual settlement has been conducive to the interest of the proprietors of land, is a fact acknowledged by all parties, and is fully evident on reference to the present and former revenue registers. The benefit which the proprietors enjoy is principally owing to two circumstances; first, the extended cultivation of waste lands which formerly yielded no rent; secondly, subsequent increase of rents, much beyond those rates paid by cultivators at the time of the perpetual settlement, in defiance of the rights of khud-kāsh ryots, that is, such villagers as cultivate on lease the land that belongs to the village.

8. None will, I think, hesitate to rejoice in the augmentation of the incomes of proprietors

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prietors, derived from the extension of cultivation, as every man is entitled by law and reason to enjoy the fruits of his honest labour and good management. But as to the policy of vesting in the proprietors, themselves exempted from any increase of tax, the power of augmenting rents due from their khud-kāsh tenants, I must confess it to be a subject that requires examination.

9. It is too true to be denied, that there was no regular system of administering justice, even in theory, under the government of the late rulers, and that there were few instances in which such humble individuals as khud-kāsh ryots succeeded in bringing complaints against proprietors to the notice of higher authority. Nevertheless, their claims to the cultivation of particular soils at fixed rates, according to their respective qualities, were always admitted, as the means of their livelihood, and inducements to continue to reside in their native village; although proprietors very often oppressively extorted from them sums of money, in addition to their rents, under the name of abwābs, or subscriptions, while on the other hand the ryots frequently obtained deductions through collusion with managers, acting in behalf of the proprietors.

10. The measure adopted for the protection of khud-kāsh tenants, in Article 2d, Sec. 60, Reg. VIII, of 1793, was conditional, and has been consequently subject to violation. Hence they have benefited very little, if at all, by its provisions.

11. The power of imposing new leases and rents, given to the proprietors by Reg. I. and VIII. of 1793, and subsequent Regulations, has considerably enriched, comparatively, a few individuals, the proprietors of land, to the extreme disadvantage, or rather ruin of millions of their tenants; and it is productive of no advantage to government.

12. During the former system of government, proprietors in these and other provinces, contrary to the tenure by which lands are held in England, were required to pay a considerable proportion of their rents to the ruler of the country, whose arbitrary will was alone sufficient to augment or reduce the rates of the revenue demandable from them, and who by despotic power might deprive them of their rights as proprietors, when they failed to pay the revenue unjustly alleged to be due from them: under these circumstances, the situation of the proprietors was not in any respect on a more favourable footing than that of the khud-kāsh tenant; and, consequently, his right was not in any way analogous to those of a landlord in England.

13. In short, there were three parties acknowledged to have had a fixed right in the soil. 1st. The ryots, to cultivate the lands, and receive one-half of the produce in return for the seed and labour. 2dly. The government, in return for its general protection, to receive the other half, with the exception of one-tenth or eleventh. 3dly. The zamindars, or landholders, to receive that tenth or eleventh for their local protection, and for intervention between the government and the peasantry.

14. With a view to facilitate the collection of revenue, and to encourage proprietors to improve their estates, government liberally relieved them, in the year 1793, from the distress and difficulties originating in the uncertainty of assessment, by concluding a perpetual settlement with them. But I am at a loss to conceive why this indulgence was not extended to their tenants, by requiring proprietors to follow the example of government, in fixing a definite rent to be received from each cultivator, according to the average sum actually collected from him during a given term of years; or why the feeling of compassion, excited by the miserable condition of the cultivators, does not now induce the government to fix a *maximum* standard, corresponding with the sum of rent now paid by each cultivator in one year, and positively interdict any further increase.

15. Some, however, doubt whether government can now assume the power of bettering the condition of this immense portion of its subjects, without violating the long-standing practice

practice of the country, and the principles laid down in their existing Regulations, at least for the last forty years; but I am satisfied that an unjust precedent and practice, even of longer standing, cannot be considered as the standard of justice by an enlightened government.

16. With respect to the Regulations, however, there would be no real violation of them: as in Reg. I. of 1793, which is the basis of the permanent settlement, the government thus expressly declares that: "It being the duty of the ruling power to protect all classes of people, and more particularly those who from their situation are most helpless, the Governor-General in Council. will, whenever he may deem it proper, enact such Regulations as he may think necessary for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil; and no zamindar, independent talookdar, or other actual proprietor of land, shall be entitled on this account to make any objection to the discharge of the fixed assessment which they have respectively agreed to pay."

17. And again, in Regulation VIII. of 1793 (Sec. 60, Art. 2d), the government recognized the principle of the cultivators of the lands of their own village (khud-kāsh ryots) having a permanent right to retain possession thereof, at a fixed rent; and enacted that their title deeds should not be set aside, except in certain specified cases, applicable to that period of general settlement, and not extending to forty years afterwards.

18. I regret to say, that in some parts of these provinces the rent is already raised so high, that even an interdict against farther increase cannot afford the ryots (cultivators) any relief or comfort; consequently, the government might endeavour to raise part of its revenue by taxes on luxuries, and such articles of use and consumption as are not necessities of life, and make a proportionate deduction in the rents of the cultivators, and in the revenues of the zamindars, to whom their lands belong.

19. Failing this, the same desirable object may be accomplished by reducing the revenue establishment in the following manner. Under the former government, the natives of the country, particularly Hindoos, were exclusively employed in the revenue department, in all situations, and they are still so almost exclusively under the present system. The collectors, being covenanted European servants of the Company, are employed as superintendents, at a salary of 1,000 or 1,500 rupees (£100 to £150) *per mensem*. The duties, however, are chiefly performed by the native officers, as they are not of such importance or difficulty as the duties attached to the judicial department, in which one slip might at once destroy the life of the innocent, or alter the just destination of property for a hundred generations.

20. The principal duties attached to the situation of collector are as follows: 1st. The receipt of the revenue by instalments, according to the assessment, and remitting the amount thus collected to the general treasury, or to one of the commanding officers, or to the commercial resident, or salt agent, as directed by the accountant-general. 2d. Advertising and selling the estates of defaulters, to realize arrears. 3dly. Taking care of his own treasury, to prevent any mismanagement of it, and the revenue records. 4thly. Making partitions of estates, when joint sharers thereof apply to him for such division. 5thly. Preparing a quinquennial register of the estates paying revenue within his collectorship. 6thly. Ascertaining what tax-free land has been in the possession of individuals without a valid title. 7thly. Furnishing the judicial authorities with official papers required by them, and executing their decrees concerning lands, &c. 8thly. Deciding leases which the judicial officer has it in his option to refer to the collector. 9thly. Officiating as local postmaster, under the authority of the postmaster-general. 10th. Assessing duties on the vendors of liquors and drugs, with the concurrence of the magistrate, and collecting the duties payable thereon (on receiving five per cent. on the amount of collection for his trouble). 11th. Giving out stamped papers to native vendors, and being responsible for the same; 10 per cent., I think, on the sum realised being allowed him for his

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his trouble and responsibility. (The two latter articles produce to the collector an additional monthly income of not less than from 200 to 1,000 rupees a month, according to the greater or smaller sale in different districts.) 12th. Regulating the conduct of the native sub-collectors, assessors and surveyors employed on the estates under the immediate management of government. 13th. Transmitting monthly and annually reports and accounts to the accountant-general and the civil auditor, and corresponding with the Board of Revenue on the various affairs of his collectorship, as well as obeying their instructions.

21. A native of respectability, at a salary of about 300 or 400 rupees per month, may be appointed in lieu of the European collector; and he should give sureties for his character and responsibility, to such amount as government may deem adequate. The large sum that may thus be saved by dispensing with the collectors, would not only enable government to give some relief to the unfortunate ryots above referred to, by reducing their rents, but also raise the character of the natives, and render them attached to the existing government, and active in the discharge of their public duties, knowing that, under such a system, the faithful and industrious native servant would receive the merit, and ultimately the full reward of his services; whereas, under the present system, the credit or discredit is attributed to the European head of the department, while the natives, who are the real managers of the business, are entirely overlooked and neglected, and consequently they seem, most of them, to be rendered quite indifferent to anything but their own temporary interest.

22. With respect to the expediency and advantage of employing native revenue officers to the higher situations in the revenue department, I am strongly supported by the opinions of persons whose sentiments have great weight with the governing party, as well as with the party governed. I can safely quote the remarks of many distinguished servants of the Hon. East-India Company, such as Sir Thomas Munro, Mr. H. Ellis, Mr. Robert Rickards, and others.

23. The native collectors should be under the immediate and strict control of the Board of Revenue, as the European collectors at present are, and should be made strictly responsible for every act performed in their official capacity. No one should be removed from his situation unless on proof of misconduct, regularly established, to the satisfaction of government, on the report of the Board of Revenue.

24. For the present, perhaps, it would be proper to transfer the duty of selling the property of defaulting landholders to the registers; and the judges, instead of referring causes to the revenue officers, should submit them to the sudder aumeens (or native commissioners already appointed to decide causes under a certain amount).

25. In order to prevent the exercise of any undue influence or bribes in obtaining the situation of native collectors of revenue, it is requisite that all the present serishtadars, or head native officers, attached to the different collectorships, should at once be confirmed in the situation of collector, and in case of his death or removal, the next in rank should succeed him. In the same manner those under them should be each promoted regularly in succession, according to his rank in the revenue department, unless from being unable to produce the requisite security, or from other evident disqualification; and no one should be allowed to hold the situation of collector, unless he had been at least ten years in the revenue service.

26. The present collectors may be transferred, if found qualified, to the judicial or some other department, or allowed to retire on suitable pensions. Besides the Board of Revenue, who should exercise a constant superintendence over the revenue branch, there should be six or eight European civil servants of the Company, who stand high in the estimation of government, appointed, under the denomination of circuit collectors, to examine

examine personally, from time to time, the records kept, and the proceedings held by the native collectors.

¶7. At all events, I must conclude with beseeching any and every authority to devise some mode of alleviating the present miseries of the agricultural peasantry of India, and thus discharge their duty to their fellow creatures and fellow subjects.

RAMMOHUN ROY.

London, Aug. 19th, 1831.

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## QUESTIONS and ANSWERS on the JUDICIAL SYSTEM of INDIA.

Question 1. HAVE you observed the operation of the judicial system in India ?

*Answer.* I have long turned my attention towards the subject, and possess a general acquaintance with the operation of that system, more particularly from personal experience in the Bengal presidency, where I resided.

Q. 2. Do you think that the system hitherto acted upon is calculated to secure justice ?

A. The judicial system, established in 1793 by Lord Cornwallis, was certainly well adapted to the situation of the country, and to the character of the people, as well as of the government, had there been a sufficient number of qualified judges to discharge the judicial office under a proper code of laws.

Q. 3. Explain particularly in what points you consider the practical operation of the system defective ?

A. In the want of a sufficient number of judges and magistrates ; in the want of adequate qualification in many of them to discharge the duty in foreign languages ; and in the want of a proper code of laws by which they might be easily guided.

Q. 4. Can you explain what evils result from the want of a greater number of judges ?

A. 1st. The courts being necessarily few in number, in comparison to the vast territories under the British rule, many of the inhabitants are situate at so great a distance from them, that the poorer classes are, in general, unable to go and seek redress for any injury, particularly those who may be oppressed by their wealthier neighbours, possessing great local influence. 2dly. The business of the courts is so heavy, that causes often accumulate to such an extent, that many are necessarily pending some years before they can be decided ; an evil which is aggravated by subsequent appeals from one court to another, attended with further delay and increased expense. By this state of things wrong-doers are encouraged, and the innocent and oppressed in the same proportion discouraged, and often reduced to despair. 3dly. Such a mass of business, transacted in foreign languages, being too much for any one individual, even the ablest and best-intentioned judge may be disheartened at seeing before him a file of causes which he can hardly hope to overtake, and he may therefore be thus induced to transfer a great part of the business to his native officers, who are not responsible, and who are so meanly paid for their services, that they may be expected to consult their own interests.



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Q. 5. Will you inform us what evils arise from the want of due qualification in the judges?

A. It is but justice to state, that many of the judicial officers of the Company are men of the highest talents, as well as of strict integrity, and earnestly intent on doing justice; however, not being familiar with the laws of the people over whom they are called to administer justice by these laws, and the written proceedings of the court, answers, replies, rejoinders, evidence taken, and documents produced, being all conducted in a language which is foreign to them, they must either rely greatly on the interpretation of their native officers, or be guided by their own surmises or conjectures. In one case the cause will be decided by those who, in point of rank and pay, are so meanly situated, and who are not responsible to the government or the public for the accuracy of the decision; in the other case a decision, founded on conjecture, must be very liable to error. Still I am happy to observe, that there are some judicial officers, though very few in number, whose judgment and knowledge of the native languages are such, that in cases which do not involve much intricacy and legal subtlety they are able to form a correct decision, independent of the natives around them.

Q. 6. Can you point out what obstructions to the administration of justice are produced by the want of a better code of laws?

A. The Regulations published from year to year by the local government since 1793, which serve as instructions to the courts, are so voluminous, complicated, and in many instances either too concise or too exuberant, that they are generally considered not a clear and easy guide; and the Hindu and Mahomedan laws, administered in conjunction with the above Regulations, being spread over a great number of different books of various and sometimes doubtful authority, the judges, as to law points, depend entirely on the interpretations of their native lawyers, whose conflicting legal opinions have introduced great perplexity into the administration of justice.

Q. 7. Is there any other impediment to the fair administration of justice besides these you have stated?

A. The first obstacle to the administration of justice is, that its administrators, and the persons among whom it is administered, have no common language. 2dly. Owing partly to this cause, and also in a great measure to the difference of manners, &c. the communication between these two parties is very limited, in consequence of which the judges can, with the utmost difficulty, acquire an adequate knowledge of the real nature of the grievances of the persons seeking redress, or of the real character and validity of the evidence by which their claims are supported or opposed. 3dly. That there is not the same relation between the native pleaders and the judge as between the British bar and the bench. 4thly. The want of publicity, owing to the absence of reporters and of a public press, to take notice of the proceedings of the courts in the interior; consequently there is no superintendence of public opinion to watch whether the judges attend their courts once a day or once a week, or whether they attend to business six hours or one hour a day; or their mode of treating the parties, the witnesses, the native pleaders, or law officers, and others attending the courts, as well as the principles on which they conduct their proceedings and regulate their decisions; or whether in fact they investigate and decide the causes themselves, or leave the judicial business to their native officers and dependents. (In pointing out the importance of the fullest publicity being afforded to judicial proceedings by means of the press, I have no reference to the question of a free press for the discussion of local politics, a point on which I do not mean to touch.) 5thly. The great prevalence of perjury, arising partly from the frequency with which oaths are administered in the courts, having taken from them the awe with which they were formerly regarded; partly from the judges being often unable to detect impositions in a foreign language, and to discriminate nicely the value of evidence amongst

amongst a people with whom they have in general so little communication; and partly from the evidence being frequently taken, not by the judge himself, but by his native officers (omláh) whose good-will is often secured beforehand by both parties, so that they may not endeavour to detect their false evidence by a strict examination. Under these circumstances, the practice of perjury has grown so prevalent that the facts sworn to by the different parties in a suit are generally directly opposed to each other, so that it has become almost impossible to ascertain the truth from their contradictory evidence. 6thly. The prevalence of perjury has again introduced the practice of forgery to such an extent as to render the administration of justice still more intricate and perplexing. 7thly. The want of due publicity being given to the Regulations which stand at present in place of a code of laws. From their being very voluminous and expensive, the community generally have not the means of purchasing them, nor have they a sufficient opportunity of consulting or copying them in the judicial and revenue offices, where they are kept; as these are usually at a distance from the populous parts of the town, only professional persons or parties engaged in suits or official business are in the habit of attending these offices. 8thly and lastly. Holding the proceedings in a language foreign to the judges, as well as to the parties and to the witnesses.

Q. 8. In what language are the proceedings of the courts conducted?

A. They are generally conducted in Persian, in imitation of the former Mahommedan rulers, of which this was the court language.

Q. 9. Are the judges, the parties, and the witnesses sufficiently well acquainted with that language to understand the proceedings readily?

A. I have already observed that it is foreign to all these parties. Some of the judges and a very few among the parties, however, are conversant with that language.

Q. 10. Would it be advantageous to substitute the English language in the courts, instead of the Persian?

A. The English language would have the advantage of being the vernacular language of the judges. With regard to the native inhabitants, it would no doubt, in the mean time, have the same disadvantage as the Persian; but its gradual introduction in the courts would still, notwithstanding, prove ultimately beneficial to them, by promoting the study of English.

Q. 11. Does the native bar assist the judge, and form a check on the accuracy of the decisions?

A. It is no doubt intended to answer this most useful purpose, and does so to some extent; but from the cause alluded to above (Answer 7, No. 3,) not to the extent that is necessary to secure the principles of justice.

Q. 12. Do the judges treat the native pleaders with the consideration and respect due to their office?

A. They are not always treated in the inferior courts with the consideration due to their office.

Q. 13. To what do you attribute it, that the bar is not treated with respect?

A. The native pleaders are so unfortunately situated, from there being such a great distance between them and the judges, who belong to the rulers of the country, and from not being of the same profession, or of the same class as the judges, and having no prospect of promotion as English barristers have, that they are treated as an inferior caste of persons.

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Q. 14. Do not the native judicial officers employed under the judge assist him in his proceedings ?

A. Of course they assist him, and that very materially.

Q. 15. What kind of assistance do they render to the judge ?

A. They read the proceedings, viz. the bill (darkhāst or arzī), answers, replies, rejoinders, and other papers produced in the court: they write the proceedings and depositions of the witnesses, and very often, on account of the weight of business, the judge employs them to take the depositions of the witnesses; sometimes they make abstracts of the depositions and other long papers, and lay them before the judge for his decision.

Q. 16. Are they made responsible with the judge for the proceedings held ?

A. They are responsible to the judge, but not to the government or the public.

Q. 17. Are not the judges assisted also by Hindū and Mussulman lawyers, appointed to act as interpreters of the law ?

A. They are; learned natives of this description being attached to the courts to give their opinion on the Hindū and Mahomedan law points which may arise in any case.

Q. 18. Are natives of the country empowered to decide causes of any description ?

A. Yes; there are native munsifs or commissioners for the decision of small debts; and sudder aumeens, who are authorized to try causes under 500 rupees, whether connected with landed or moveable property.

Q. 19. Are they qualified to discharge the duties entrusted to them ?

A. Many of them are fully qualified; and if proper care be taken in the selection, all the situations might be filled with well-qualified persons.

Q. 20. What is your opinion of the general character and conduct of the judges in their official capacity as such ?

A. I am happy to state that, in my humble opinion, the judicial branch of the service is at present almost pure; and there are among the judicial servants of the Company gentlemen of such distinguished talents, that from their natural abilities, even without the regular study of the law, they commit very few, if any, errors in the administration of justice. Others are not so well gifted, and must therefore rely more on the representations of their native officers; and being free from any local check on their public conduct, their regularity, attention to business, and other judicial habits, are not equal to the wishes of their employers, nor calculated to give general satisfaction.

Q. 21. Do they borrow money to any extent from the natives ?

A. Formerly they borrowed to great amount; at present this practice is discouraged.

Q. 22. Why are the natives prevailed upon to lend to these judges and other civilians money to such an extent ?

A. Natives not having any hope of attaining direct consideration from the government by their merits or exertions, are sometimes induced to accommodate the civil servants with money, by the hope of securing their patronage for their friends and relatives, the judges and others having many situations directly or indirectly in their gift: sometimes by

by the hope of benefiting by their friendly disposition, when the natives have estates under their jurisdiction ; and sometimes to avoid incurring the hostility of the judge, who, by Regulation IX. of 1807, is empowered, not only to imprison, but to inflict corporal punishment by his own authority, under certain legal pretences, on any native, whatever his respectability may be.

Q. 23. What is your opinion of the judicial character and conduct of the Hindu and Mahomedan lawyers attached to the courts ?

A. Amongst the Mohammedan lawyers I have met with some honest men. The Hindu lawyers are in general not well spoken of, and they do not enjoy much of the confidence of the public.

Q. 24. What is your opinion of the official character and conduct of the subordinate native judicial officers ?

A. Considering the trifling salaries which they enjoy, from ten, twenty, thirty, or forty rupees to one-hundred rupees a month (the last being the allowance of the head native officer only), and the expenses they must incur (the keeping of a palankeen alone must cost the head man a sum between twenty and thirty rupees) in supporting some respectability of appearance, besides maintaining their families ; and considering also the extent of the power which they must possess from their situations and duties, as above explained (Q. 15), and the immense sums involved in the issue of causes pending in the courts, it is not to be expected that the native officers, having such trifling salaries, at least many of them, should not avail themselves sometimes of their official influence to promote their own interests.

Q. 25. What is your opinion of the professional character and conduct of the pleaders ?

A. Many pleaders of the Sudder Dewanee Adawlut are men of the highest respectability and legal knowledge, as the judges are very select in their appointment, and treat them in a way which makes them feel that they have a character to support. Those of the provincial courts of appeal are also generally respectable, and competent to the discharge of their duties. In the zillah courts some respectable pleaders may also be met with ; but proper persons for that office are not always very carefully selected ; and in general I may observe, that the pleaders are held in a state of too much dependence by the judges, particularly in the inferior courts, which must incapacitate them from standing up firmly in support of the rules of the court.

Q. 26. Is bribery and corruption ever practised in the judicial department, and to what extent ?

A. I have already intimated my opinion in the Answers to Questions 20 and 24.

Q. 27 and 28. Have the respectable and intelligent native inhabitants generally confidence in the purity of the Company's courts, and the accuracy of their decisions ; and have the native community confidence in the integrity of the subordinate judicial officers ?

A. While such evils exist as I have above noticed in my reply to Queries 5, 6, and 7, as well as to Queries 20 and 24, the respectable and intelligent native inhabitants cannot be expected to have confidence in the general operation of the judicial system.

Q. 29. Are the judges influenced in their decision by their native officers ?

A. Those who are not well versed in the native languages, and in the Regulations of government, must necessarily be very much dependant on their native officers, as well as

as those who dislike to undergo the fatigue and restraint of business, which to Europeans is still more irksome in the sultry climate of India.

Q. 30. Can you suggest any mode of removing the several defects you have pointed out in the judicial system?

A. As European judges in India are not generally expected to discharge judicial duties satisfactorily, independent of native assistance, from not possessing a thorough knowledge of the languages, manners, customs, habits and practices of the people, and as the natives who possess this knowledge have been long accustomed to subordination and indifferent treatment, and consequently have not the power of commanding respect from others unless joined by Europeans, the only remedy which exists is to combine the knowledge and experience of the native with the dignity and firmness of the European. This principle has been virtually acted upon and reduced to practice since 1793, though in an imperfect manner, in the constitution of the courts of circuit, in which the mufti (native assessor) has a voice with the judge in the decision of every cause, having a seat with him on the bench. This arrangement has tolerably well answered the purposes of government, which has not been able to devise a better system in a matter of such importance as the decision of questions of life and death, during the space of forty years, though it has been continually altering the systems in other branches. It is my humble opinion, therefore, that the appointment of such native assessors should be reduced to a regular system in the civil courts. They should be appointed by government for life, at the recommendation of the Sudder Dewanee Adawlut, which should select them carefully, with a view to their character and qualifications, and allow them to hold their situations during life and good behaviour, on a salary of from 300 to 400 rupees per mensem. They should be responsible to the government as well as to the public for their decisions, in the same manner as the European judges, and correspond directly with the judicial secretary; a casting voice should be allowed to the European judge in appointing the native officers, in case of difference of opinion; the native assessor, however, having a right to record his dissent. These assessors should be selected out of those natives who have been already employed for a period of not less than five years as assessors (mufti), lawyers (zillah court maulavis), or as the head native officers in the judicial department.\*

Par. 2. This measure would remove the evils pointed out in the answers to Question 5 and to Question 7, Nos. 1, 2, and 3, and also afford a partial remedy to the evils noticed in Nos. 5, 6, and 8 of Answer 7, as well as provide against the evils referred to in Answer to Query 24.

Par. 3. In order, however, to render the administration of justice efficient and as permanent as human efforts can make it, and to remove the possibility of any undue influence which a native assessor might attempt to exercise on the bench under a European judge of insufficient capacity, as well as to do away with the vexatious delays and grievous suffering attending appeals, it is necessary to have recourse to trial by jury, as being the only effectual check against corruption, which, from the force of inveterate habit, and the contagion of example, has become notoriously prevalent in India. This measure would be an additional remedy to the evils mentioned in the reply to Queries 5 and 7, Nos. 1, 2, 3, and 5, 6, 8; and also in the reply to Query 4, Nos. 2 and 3, as well as in Query 24.

Par. 4. With a view to remove the evils arising from want of publicity of the Regulations, as noticed in No. 7 of Answer to the Query 7, two or three copies in each of the principal native languages used in that part of the country, should be kept in a building in the populous quarter of the town, under the charge of a keeper, on a small salary, and all

\* Note.—The native judicial officers are generally versed in Persian, and therefore the proceedings hitherto generally held in that language would be familiar to them.

all persons should be freely admitted to read and copy them at leisure, from sunrise to sunset. The expense of this would not amount to £2 a month for each station, and the benefits of it would be incalculable.

Par. 5. In order to remedy the evils arising from the distance of the courts, as noticed at Question 4, Answer No. 1, I beg to suggest as follows:—The sudder aumeens, or supreme commissioner for the decision of causes under 500 rupees, affecting moveable or immoveable property, are at present stationed at the same place where the zillah judge holds his court, and plaints are at first laid before the judge, who turns them over to one of these commissioners, at his own discretion; consequently they afford no remedy for the great distance of the courts from many under their jurisdiction, as this often embraces a circle of sixty or eighty miles. I therefore propose that these sudder aumeens should be stationed at proportionate distances in different parts of the district, so that suitors may not have to travel far from their homes to file their bills, and afterwards to seek and obtain justice; and that one of the assistants of the judge should be stationed in a central position, which might enable him (without any additional charge to government, as I shall hereafter show) to visit and personally superintend these aumeens, when the judges' station is on or near the border of his district. If it is otherwise situated, one of the assistants of the judge may remain at the head station with the judge, and superintend the commissioners nearest to him, while another assistant, being stationed at an appropriate distance, may superintend those who are more remotely situated from the first assistant. There will thus be as complete a check over them as under the present system, and justice will be brought home to the doors of a great majority of the inhabitants of each district, since causes under 500 rupees are exceedingly numerous in every zillah or city court.

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Par. 6. These assistants may at the same time be very usefully employed in checking the dreadfully increasing crime of forgery, by which the course of justice is now so very much impeded in the judicial courts. Written documents of a diametrically opposite nature are, as is well known, constantly laid before these courts, and serve to confound justice, and perplex a conscientious bench. Therefore, under the proposed system of assistant judges' courts in two different quarters of a district, I would recommend, as highly necessary and expedient to check materially the practice of forgery, that parties to any deed should be required, in order to render it valid, to produce it in open court before the nearest assistant judge, within a certain number of days from the time of its execution. This rule should apply \* to all sorts of contracts and agreements regarding property above 100 rupees value, such as wills and bills of sale, &c., and money bonds for debts payable at a certain period beyond six months; and upon receiving a fee of from one to two rupees, according to its importance, the assistant judge, after ascertaining the identity of the parties in open court, should immediately affix his signature as witness to the deed, and retain a copy of the same in a book of record kept on purpose, duly authenticated, and marked to prevent the possibility of interpolation, or any other species of fraud. The sum above allowed as a fee on registering, with a small fixed charge per page for retaining a copy, would be more than sufficient to remunerate any extra trouble attending the duty and labour of transcribing. To induce the proprietors of land and other respectable persons to appear without reluctance in open court on such occasions, they should be invariably treated with the respect due to their rank. Further, to encourage the public to have papers registered, and to satisfy the government that no improper delay takes place in registering them, as well as to prevent the copyists from extorting perquisites, a book should be kept, in which the party presenting a paper should in open court enter a memorandum of the day and hour when it was produced and

\* By Regulation XXXVI. of 1793, the registering of deeds is authorized, but left in the option of the parties:

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and returned to him. This system would materially remedy the evil referred to in Answer to Question 7, No. 6.

Par. 7. The assistant judges should also receive appeals from the sudder aumeens, and try them in conjunction with a native assessor, appointed by the Sudder Dewanee Adawlut, on a smaller salary than that of the judges' assessor, that is perhaps not exceeding two hundred rupees a month. In the event of difference of opinion between the assessor and the assistant judge on any case, it should be appealable to the zillah judge, whose decision should be final; and as the sudder aumeens are now paid from the duties on the stamps used, and the fees received on the papers filed, so the assistant judges' assessor may be paid in the same manner from the fees and stamps imposed on the appeal causes.

Par. 8. The assistant judge, though not empowered to interfere with the police officers of the interior in the discharge of their duties, should, notwithstanding, be authorized to receive written complaints of any abuse of their power from persons who feel themselves oppressed by the police, and to forward the same to the head magistrate of the district for his investigation, as very often the poor villagers or peasants are oppressed by the local police officers, but despair of any relief from being unable to leave their homes and travel to a distance to the station to seek redress.

Q. 31. Is trial by jury (or any thing resembling it) resorted to at present in any case?

A. The principle of juries, under certain modifications, has, from the most remote periods, been well understood in this country, under the name of punchayet.

Q. 32. What is the difference between the jury system and the punchayet?

A. The punchayet exists on a very defective plan at present, because the jurors (members of the punchayet) are not regular in their meetings, have no power to compel the attendance of witnesses, unless by appealing to the courts; they have no judge to preside at their meetings and direct their proceedings, and are not guarded in any manner from partiality or private influence; they are in fact at present only arbitrators appointed by the court, with consent of the parties in a cause, each party nominating one arbitrator, and the judge a third, and sometimes both parties agree to refer the decision of the case to one arbitrator.

Q. 33. Why and when was the punchayet system discouraged?

A. It has not been totally discouraged, but rather placed on a different footing. In former days it was much more important in its functions. It was resorted to by parties at their own option; or by the heads of tribes, who assumed the right of investigation and decision of differences; or by the government, which handed over causes to a punchayet.

Q. 34. Do you really think the introduction of any system of jury trial or punchayet would be beneficial?

A. Undoubtedly; as shown by the Par. 3d of my Answer to Question 30; since a punchayet, composed of the intelligent and respectable inhabitants, under the direction of a European judge to preserve order, and a native judge to guard against any private influence, is the only tribunal which can estimate properly the whole bearings of a case, with the validity of the documentary evidence, and the character of the witnesses, who could have little chance of imposing false testimony upon such a tribunal.

Q. 35. Do you think it would be acceptable to the inhabitants?

A. As the punchayet, even in its present very imperfect form, is still practised by the inhabitants,

inhabitants, it would without doubt be much more so were it reduced to a regular system, guarded by proper checks, and dignified by judicial forms, which would inspire the whole community with higher respect and confidence for this ancient institution. But whatever length its popularity may go, it is the only system by which the present abuses, consisting of perjury, forgery and corruption, can be removed.

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Q. 36. Will you explain the modification of the punchayet-jury system in detail, which you think best suited to the circumstances of the country?

A. I am of opinion that the punchayet system should be adopted in conjunction with the plan above stated, (Q. 30.) It would be easy to adapt it to the object in view, without imposing any heavy duty on the respectable portion of the native community. Three jurymen, or at most five, would, I conceive, answer the purpose as well as a greater number, and any zillah (district) could easily supply a list from which these might be taken without much inconvenience. Three times the number required for sitting on a trial should be summoned, and the persons actually to serve should be taken by lot, so that neither the judges nor the parties may be able to know beforehand what persons will sit on the trial of a cause. The general list of jurymen should be as numerous as the circumstances of the city or zillah (district) will admit. It should be prepared by the European judge at the station, and altered and amended by him from time to time, as may seem proper and requisite. He may easily select well-qualified juries from respectable and intelligent natives, known to be versed in judicial subjects, who reside in considerable numbers at every station. A necessary concomitant to the introduction of jurymen will be the sole use of the vernacular dialect of the place, to the exclusion of the Persian language in proceedings. Publicity should be as much fostered as possible, and the jury should be kept apart, and required to decide without separating, as in the English courts of law. In a trial thus conducted the resort to appeal will cease to be useful, and for the purposes of justice, need only be allowed where there is a difference of opinion betwixt the bench and the jury; for where judge and jury are unanimous, an appeal would be more likely to produce injustice, by vexatious expense and delay, than to rectify error on the part of the inferior court, and ought therefore to be prohibited.

Q. 37. Do you think the natives of the country qualified to discharge judicial functions of this nature; and from what class would you select the jurors?

A. They are assuredly qualified, as I observed before in Answer to Query 19, and the jurors at present may be judiciously selected from retired pleaders (wakils) and retired judicial officers, from agents employed by private individuals to attend the court (mukhtars), who are generally well qualified, and from the other intelligent and respectable inhabitants as above observed (Answer to Q. 30 and 36.) To avoid any undue bias or partiality, both parties in a suit should have a right of objecting to any jurymen who can be shown to have an interest in the cause or particular connexion with either party.

Q. 38. Do you think the natives competent and eligible to all judicial situations, or only subordinate ones?

A. As many of them, even under the present manifold disadvantages, already discharge all the judicial functions, even the most difficult (*see* Q. 15), it will not be very difficult, I think, with proper management, to find qualified persons amongst the natives for any duty that may be assigned to them; many, however, as in other countries, are only fit for subordinate situations.

Q. 39. What advantage do you conceive this punchayet-jury system would possess over the judicial system now established?



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A. 1st. From the thorough knowledge of the native character possessed by such a tribunal, and of the language of the parties and witnesses, it would not be so liable to error in its decisions. 2dly. The jury would be guarded from undue influence by the judge and his assessors. 3dly. It would guard the assessor from the use of undue influence. 4thly. It would secure the dispatch of business, and the prevention of delay, and of the need of appeals: the checking of perjury and forgery may also reasonably be hoped from it, besides many other advantages already pointed out.

Q. 40. Are the provincial courts of appeal conducted on the same principles as the district courts to which you have referred?

A. As they are presided over by gentlemen of more experience and longer residence in the country, these courts are generally conducted with greater regularity.

Q. 41. What is the nature of the difference existing between them?

A. Under the Bengal presidency, in causes above 10,000 rupees, the action must be laid in the provincial court of appeal, and may be decided by one judge. This court takes cognizance also of any case of inferior amount below 10,000 rupees, which may be carried to it by appeal from the decision of or proceedings held by the judge of the city or district court, and from these provincial courts appeals can only be made to the Sudder Dewanee Adawlut, the highest civil tribunal.

Q. 42. Can you point out any defects in the Sudder Dewanee Adawlut, and their remedies?

A. Government has always been very careful in its selection of the judges for the Sudder Dewanee Adawlut, both as regards their ability and integrity, and they are fully competent to remove any defects which may exist in the court over which they preside. It is, however, highly desirable that judges of the Sudder Dewanee Adawlut should have the power of issuing the writ of *habeas corpus*, on seeing sufficient grounds for the exercise of this peculiar power, according to the practice of the English courts. But when the person imprisoned is situated at a greater distance from the sudder courts than fifty miles, the judges of this court, to save useless expense, might direct one of the circuit judges, on whom they could best rely, to investigate the case, and report to them.

Q. 43. What other duties are assigned to the judges of the provincial courts?

A. They are a medium of communication between the Sudder Dewanee Adawlut and the inferior courts, and were also judges of circuit.

Q. 44. How many provincial courts are there?

A. There are six provincial courts in the provinces attached to the Bengal presidency, viz. that of Calcutta, Dhacca, Moorshedabad, Patna, Benares, and Bareilly.

Q. 45. Are not the judges of provincial courts still judges of circuit?

A. No: they were so formerly; but about two years ago the local government transferred the duties of the judges of circuit from them to the revenue commissioners.

Q. 46. Does any inconvenience arise from making the revenue commissioners also judges of circuit?

A. Such a union of offices is quite incompatible and injurious. The judge of circuit discharges duties of the highest importance, being invested with the power of life and death, and imprisonment during life in chains, the infliction of corporal punishment, and the

the confiscation of property: he is besides charged with the preservation of peace and good order in several extensive districts. It is morally impossible, therefore, that he can fulfil the expectation of government and the public, if his attention be at the same time engrossed and distracted by political, commercial, or revenue transactions. In criminal suits, moreover, he labours under a peculiar disadvantage, not being assisted by a bar composed of persons of liberal education, or by a body of honest, intelligent and independent jurors; the former often proves of essential service to the bench in the King's courts, by able expositions of the law as applicable to every case, by great acuteness in cross-examining witnesses, and in the detection of false evidence; while the importance of the jury is universally acknowledged.

Par. 2. Formerly, when the judges of the provincial courts of appeal did the duties of the circuit, one or two of them used to remain at the station to attend to the necessary current business, while the others (one, or sometimes two) were on the circuit. But on the present system the commissioner of revenue being also judge of circuit, when he goes on circuit all references to him by the collectors under his jurisdiction often remain unanswered, and the most important matters in the revenue business are entirely suspended for months together. Although the former Mahomedan governments were subject to the charge of indifference about the administration of justice, they yet perceived the evils liable to arise from a union of revenue and judicial duties; no judge or judicial officer empowered to try capital crimes (as cazees and muftis) was ever suffered to become a collector of revenue.

Par. 3. The separation of these two offices has also been established by long practice under the British government, being one of the leading principles of the system introduced by Lord Cornwallis. Accordingly, those young civilians who attached themselves to the revenue line of the service, have advanced by successive steps in that line; while those again who preferred the judicial, have been in like manner continued and promoted through the different grades in that department of public duty. Therefore by overturning this system, a gentleman may now be appointed to discharge the highest judicial duties who never before tried the most trivial cause; and another to superintend the collectors of revenue, to whose duties he has been all his life a stranger. Mr. E. R. Barwell, revenue commissioner and judge of circuit of the twenty-four pergunnahs, Baraset, Jessore and Burrisal, is an example of the former case; and Mr. H. Braddon, revenue commissioner and judge of circuit of Burdwan, Jungul Muhal and Hooghly is an instance of the latter.\*

Par. 4. The remedy I beg to propose, without further expense attending the establishment, is to separate the duties between two distinct sets of officers, and double the jurisdiction of each. By this arrangement each gentleman discharging one class of duties would find them more easy and simple, though the field embraced was more extensive, and the expense would be the same as under the present system.

Par. 5. The duties of judges and magistrates are not so incompatible as those of the judges of circuit and the commissioners of revenue; but still separation of these duties is advisable on account of the great weight of the business in the zillah and city courts; therefore these two offices (office of judge and that of magistrate) should be exercised by different individuals. However, the magistrates should assist the judges in the execution of their decrees or orders, as they have hitherto done in those districts where the office of judge and magistrate are separate.

Q. 47. What delay generally takes place in the decision of causes?

A. In the zillah courts a cause may be pending on an average about two or three years; in the courts of appeal four or five years; and in the Sudder Dewanee Adawlat the same period,

\* *Vide* the Directories containing the list of civil servants in Bengal.

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period; but if the property in dispute amount to the value of about 50,000 rupees, so as to admit of an appeal to the King in Council, the probable period of delay in the decision of such an appeal is better known to the authorities here than to myself.

Q. 48. What is the cause of such delay?

A. It must be acknowledged that irregularity in attending to the discharge of the judicial duties, and the want of proper discipline or control over the judicial officers, are the main causes of obstruction in the dispatch of the judicial business; and these daily growing evils in every branch of the judicial establishment have in a great measure defeated the object which the government had in view in establishing it. For example, a bill of complaint written on stamp, the first paper in a suit, cannot be easily got on the file unless it be accompanied with some perquisite to the native recorder, whose duty it is to ascertain first whether the sum in dispute correspond with the value of the stamp, an act which may be accomplished in a minute or a week, just as it suits the inclination of the examiner. The case is the same with respect to the issuing of the summonses, prepared by another native officer, to command the attendance of the person sued, either in person or by a pleader, to put in his answer. Summonses, subpoenas, and the processes of the provincial courts, are issued against individuals through the judge of the district in which they reside, and a certain period is always allowed for the serving these processes; but neither are the zillah judges, whose time is otherwise fully occupied, punctual in observing those subordinate duties, nor does the higher court, which is occupied by other important business, take any early notice of the expiration of the time allowed for making the return. The parties are therefore obliged to cultivate a friendly understanding, not only with the officers of the provincial court, but also with those of the zillah or city court. Whether the defendant attends immediately or long after the time allowed him, or whether he files his answer within the regular prescribed period, or a year afterwards, is treated as if practically immaterial. But delay, unintentionally allowed to the parties in filing the requisite papers, and in producing their documents and witnesses, is the too frequent source of great abuses, as the opportunity thus afforded by delay is embraced to invent stories, and forge documents in support of them, to procure false witnesses, and to instruct them in the manner that appears best calculated to serve the purposes in view.

Par. 2. Moreover, some of the judges are very irregular in calling on causes, choosing any day and any time that suits their convenience to occupy the bench singly. The pleaders, being natives of the country, have little or no influence over the conduct of the judges to prevent such irregularities, and dare not hint dissatisfaction.

Par. 3. I would suggest, with a view to remove irregularities originating in a want of official control, without disregard to economy, that the head writer in each court be required to discharge this duty, with some extra remuneration for the same, and be made strictly responsible under an adequate penalty, with proper sureties for his conduct, liable, jointly with him, for any fine he may incur by want of punctuality, proved against him by either party on complaint to the judge of the court, or of a superior court, or to the judicial secretary.

Par. 4. This superintendent or clerk of the papers should be required to receive and file bills of complaint in open court, as well as answers and replies, &c., within the period prescribed in Regulation IV. of 1793. These should not be admitted to the records after the time allowed, unless the judge, on motion publicly made, finds sufficient reasons for prolonging the period, say a week or two, in particular cases.

Par. 5. The clerk of the papers should vigilantly watch that no delay takes place in issuing summonses, subpoenas, and other process of the court, and that the day on which these are ordered to be issued, and the day on which their return is expected, should be correctly registered in a separate book kept on purpose.

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Par. 6. In case of neglect or wilful disobedience, the superintendent of the papers should immediately submit the circumstance to the notice of the judge. Should the neglect be on the part of the prosecutor, the judge ought immediately to pronounce non-suit; and if on the part of the defendant, proceed *ex parte*, without allowing the neglect to be remedied. Or if the judge do not attend to these rules, the clerk of the papers should be bound to report the circumstance to the superior court, or the judicial secretary, on pain of forfeiting his situation. A separate register of the returns should also be kept, as well as a register showing the time when the defendant's answer must be filed, say one month from the day when the summonses are served, as is the case with equity suits in Calcutta; also showing the hours during which the judge may attend on public duty, and also his occasional absence from court, with the alleged cause thereof. The superintendent should transmit, monthly, a copy of each register, with his own remarks; to government, through the secretary in the judicial department, for its particular attention to every breach of regularity therein mentioned.

Par. 7. With a view to the same end, every person who chooses should have a right to be present during the trial of causes in any court; the courts, as is generally the case at present, should be so constructed as to afford facilities for a considerable number of persons hearing and witnessing the whole proceedings; any one who chose should be entitled to make notes of the same, and publish them, or cause them to be published in any manner he may think proper for general information, subject to prosecution for any intentional error or misrepresentation that might be judicially proved against him before a competent tribunal, and to incur such penalty as it might award. This measure would tend to remove the evil pointed out in Answer to Query 7, No. 4.

Q. 49. What number of causes may be pending at one time, and undisposed of, in the district courts and courts of appeal?

A. This depends partly on the comparative degree of industry and attention to business bestowed by the judicial officers, partly on the extent of the district and amount of business within the jurisdiction of the respective courts. However, the average number of causes pending may be ascertained by a reference to the registers kept, which are not at present accessible to me; my impression is, that in some districts they are very numerous. But to show how much the vigilance and activity of a public officer may accomplish, even in so extensive a district as Hooghley, I may mention that there, under Mr. D. C. Smith, every case is decided in the course of four, five, or six months. In the courts of appeal, the causes pending are very numerous. Conscientious and active as Mr. Smith is, he is often obliged, from the pressure of business, judicial and magisterial, to authorize his native judicial officers to take the depositions of witnesses in the civil suits.

Q. 50. Could the number of appeal cases be reduced without any disadvantage?

A. Yes, certainly, not only without disadvantage, but with great positive advantage. 1st. By introducing a more regular system of filing papers and bringing on causes, as above suggested in Answer to Query 48; 2d. By the aid of a jury and joint native judge, as proposed in reply to Query 30; 3d. By allowing of no appeal, unless when there is a difference of opinion in the zillah or city court in giving sentence, as noticed in reply to the Query 36. By these means the business would be at once conducted with more dispatch and with more accuracy, so many litigious suits would not occur, and there would be very little need of appeals to revise the decision.

Q. 51. Has the right of appeal to the King in Council proved beneficial or otherwise?

A. Owing to the vast distance, the heavy expense, and the very great delay which an appeal

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appeal in England necessarily involves; owing also to the inaccuracies in the translations of the papers prepared after decision,\* and sent to this country, and to other causes, I think the right of appeal to the King in Council is a great source of evil, and must continue to be so unless a specific court of appeal be created here expressly for Indian appeal causes above £10,000. At the same time, to remove the inaccuracies above noticed, three qualified persons (an European, a Mussulman, and a Hindu) should be nominated joint translators, and the translations should be furnished within one year from the conclusion of the proceedings in India, and both parties should be allowed to examine the accuracy of the translations thus prepared; but if the appellant neglect to pay the fees of translation within two months after the decision, the appeal should be quashed.

Q. 52. What is the nature of the duties assigned to the revenue commissioners?

A. They exercise a general superintendence and control over the revenue collectors, with powers similar to those vested in the Board at Calcutta, formerly called the Board of Revenue, and in the Board of Commissioners for the Upper Provinces. The Board at Calcutta is the superior authority, to which an appeal may be made from the decisions of the present commissioners (it is in consequence now generally termed the Sudder or Supreme Board), and thence to the government itself. In other words, the office of commissioner is a substitute for the Board of Revenue; but an appeal being allowed from one to the other, of course there is abundance of appeals, and a great part of the business is thus transacted twice or thrice over.

Q. 53. What is the nature of the duties assigned to them as judges of the circuit?

A. As judges of circuit they exercise control over the magistrates, and try the higher classes of criminal causes, which involve a question of life or death or severe punishment; and an appeal lies from them to the Sudder Nizamut Adawlut, the highest criminal tribunal.

Q. 54. Does not the discharge of one class of duties interfere with the discharge of another class which seems to be of a very different nature?

A. As above noticed (Answer to Query 46), while they are engaged in the duties of their circuit court, the reports and references from the revenue collectors must remain for several months unanswered; and not only do the people suffer in consequence, but the public business stagnates, as already observed.

Q. 55 & 56. What is the nature of the functions of the judge of circuit, and his native law assessor; do they afford each other reciprocal assistance in the discharge of their duties?

A. Both take cognizance of the charges brought before the magistrates, and sent to their court; both hear the evidence and examine the witnesses; and both give their voice in passing the decision, as I observed in Par. 1st, in my answer to Q. 30. In a vague sense, the Mahommedan law assessor may be considered as analogous to the jury in English courts, while the European judicial officer is the judge.

Q. 57. Are

\* *Note.*—In noticing this circumstance, I by no means intend to make the least insinuation to the prejudice of the present translators; but make the statement from my own observation of various translations, and my own experience of the great difficulty, or rather impracticability, of rendering accurately large masses of documents from an Oriental tongue, and frequently a provincial dialect, into an European language, of which the idioms are so widely different, unless the translator be assisted by persons possessing peculiar vernacular knowledge of the various localities.

Q. 57. Are the judges generally competent to the discharge of their duties ?

A. Some of them are highly qualified ; but it is not expected that European judges should be generally competent to determine difficult questions of evidence among a people whose language, feelings, and habits of thinking and acting are so totally different from their own.

Q. 58. Are the native law assessors generally competent ?

A. They are generally so. Some of the muftis (Mussulman law assessors) are men of such high honour and integrity, that they may be entrusted with the power of a jury with perfect safety ; and they are all of the most essential utility, and indeed, the main instrument for expediting the business of the criminal courts. However highly or moderately qualified the European judges may have been, the business has been advantageously conducted through the assistance and co-operation of these Mahommedan assessors for a period of forty years past.

Q. 59. If they should differ in opinion, what course is adopted ?

A. The case is then referred to the Nizamut Adawlut (the highest criminal tribunal).

Q. 60. What course do the judges of the Nizamut Adawlut (highest criminal court) adopt ?

A. If the judge of the supreme criminal court, before whom the referred case comes, should, after consulting with the muftis of that court, concur in the opinion of the circuit judge, his decision is confirmed and carried into execution ; but should the sudder nizamut (supreme criminal judge) differ from the opinion of the circuit judge, the case is then submitted to a second, or if necessary, to a third sudder nizamut judge, and the opinion given by two sudder judges against one is final.

Q. 61. Are the judges of the supreme criminal court also judges of the highest civil court ?

A. Yes ; and very deservedly.

Q. 62. Are they generally competent to the discharge of their duties ?

A. I have already observed (Q. 42.) that they are highly competent.

Q. 63. As it is of the highest importance that the courts of circuit should be above all corruption, can you suggest any means of improving them ?

A. Courts which have the disposal of life and death are undoubtedly of very high importance, and I would therefore propose, instead of only one law assessor (who stands in place of a jury), three or five (at least three) law assessors should be attached to each court while trials are going on.

Q. 64. From what class of men would you select the juries in the criminal courts ?

A. The criminal law now established in India has been judiciously founded on the Mahommedan criminal law. It has, however, been so greatly modified by the acts of government from time to time since 1793, that it in fact constitutes a new system of law, consisting partly of its original basis and partly of the government Regulations. But it has been made a regular study only by the respectable Mahommedans, who, when they attain a certain proficiency, are styled maulavies, a term equivalent to doctors of law. Formerly, two of these were attached to each court of circuit, and one to each district. Of late, the office of maulavi of circuit having been abolished, the maulavi or mufti

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mufti of the zillah (district) court has been ordered by government to officiate as mufti of circuit, while the judge of circuit is engaged in the trial of the criminal causes of that district; thus he alone, as assessor of the judge of circuit, is entrusted with the powers usually assigned to a jury in a British court, having the power of delivering his opinion on every case at the close of the trial.

Par. 2. With a view to lessen the abuse of the great power thus given, it is highly desirable that government should adopt the following precaution. The judge of circuit, previous to his departure for any zillah (district) or city to try criminal causes, should summon, through the magistrate, one or two additional maulavies attached to the adjacent courts, with a few other learned, intelligent, and respectable inhabitants of that district or city, to join him on his arrival, with a moderate extra allowance for their services, and every morning before he takes his seat on the bench, the judge should, without previous intimation, direct three of them to sit with him during the whole trials that may come on for that day, as his law assessors, and they should be required to deliver their opinions in each case in open court, immediately after the close of the proceedings, without previous opportunity of communicating with any one whatever, on the same principle as an English jury; and the judge should immediately inform the parties of the verdict, to put an end to all intrigues. The judge of circuit should also be required to keep a vigilant watch over the proceedings of the magistrates within his jurisdiction, and to institute an investigation personally and on the spot into any complaint preferred against him, whenever he sees sufficient ground for adopting this prompt measure; and the judge of circuit only should have the power of inflicting corporal punishment, not any magistrate, as injudiciously authorized by Regulation IX. of 1807, sec. 19.

Q. 65. What would be their duty? precisely like that of a jury, or like that of the law assessors, as hitherto employed?

A. More resembling that of the law assessor as hitherto employed. The difference between them is not important, and the result would be the same.

Q. 66. Should not the jury be selected from persons of all religious sects and divisions?

A. Since criminal law has hitherto been administered by the Mahommedans, to conciliate this class, the assessors should still be selected from among them, until the other classes may have acquired the same qualifications, and the Mahommedans may become reconciled to co-operate with them.

Q. 67. Do you think any alteration necessary in the system of criminal law now established?

A. As the criminal laws now established are already in general very familiar to the natives, I think they may better remain in their present state, until the government may be able to introduce a regular code.

Q. 68. In what manner do you think a code of criminal law could be framed suited to the wants of the country?

A. A code of criminal law for India should be founded, as far as possible, on those principles which are common to, and acknowledged by, all the different sects and tribes inhabiting the country; it ought to be simple in its principles, clear in its arrangement, and precise in its definitions, so that it may be established as a standard of criminal justice in itself, and not stand in need of explanation by a reference to any other books of authority, either Mahommedan or Christian. It is a subject of general complaint, that some persons of high rank, however profligate some of them may be, are, from political considerations, exempted

exempted from the jurisdiction or control of the courts of law. To remedy this inconvenience in the proposed code, so as to give general satisfaction, without disregarding the political distinctions hitherto observed, it may perhaps be expedient for government to order such persons to be tried by a special commission, composed of three or more persons of the same rank. This very regulation, when once known to them, would in all probability deter them from committing any very gross act of tyranny or outrage upon their dependants or others.

Q. 69. What period of time would it take to frame such a code, and by whom could it be done satisfactorily?

A. It must require at least a couple of years to do it justice, and it ought to be drawn up by persons thoroughly acquainted with Mahommedan and Hindu law, as well as the general principles of British law.

Q. 70. Are the judges capable of regulating their proceedings by such a code of laws?

A. At present they are not generally capable of performing their judicial duties independent of the aid of the assessors; but with a proper code, as above supposed, they might most of them in no great period, by making it a regular study, become much more capable of administering justice by it than they are by the present system.

Q. 71 and 72. Would not the detention of the young civilians in England to obtain a regular legal education, be injurious, by delaying their proceeding to India for several years, at that period of life when they are best capable to acquire the native languages? Do you conceive that any disadvantages arise from civilians going out at an early age?

A. This is a subject which merits the deepest consideration of the Legislature. Young men, sent out at an early age, before their principles are fixed, or their education fully matured, with the prospect of the highest power, authority and influence before them, occupying already the first rank in society immediately on their arrival, and often without the presence of any parent or near relative to advise, guide, or check them, and surrounded by persons ready, in the hope of future favours and patronage, to flatter their vanity, and supply money to almost any extent to their too easily excitable passions, are evidently placed in a situation calculated to plunge them into many errors, make them overstep the bounds of duty to their fellow creatures and fellow subjects, and to relax whatever principles of virtue may have been implanted in their yet inexperienced minds. The excuse made for so injudicious an arrangement, that it is favourable to the acquisition of the native languages, is of no weight; for it may be observed, that the missionaries, who are usually sent out at the age of from twenty-five to thirty-five years, acquire generally in two or three years so thorough a knowledge of these languages as to be able to converse freely in them, and even to address a native audience with fluency in their own tongue. In fact, the languages are easily acquired at a mature as well as at an immature age, by free communication with the people. Moreover, by the system of native assessors, juries, and other helps to the judges and magistrates, and by the gradual substitution of English for Persian, as above proposed, so extensive and minute a knowledge of the native languages would not be requisite. In short, from the present system of sending out youths at so early an age, very serious evils arise to themselves as well as to the government and to the public. 1st. With respect to themselves, they are too often seduced into habits which prove ruinous to their health and to their fortunes, becoming thereby involved in debts, from which many of them are never afterwards able to extricate themselves, without having recourse to improper means. 2dly. These embarrassments interfere very seriously with their duty to government and the public, as the persons to whom they are indebted generally surround them, and seize every opportunity of

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enriching themselves, which their situation and influence put in their way. 3dly. Their indiscreet choice of native officers, from youthful partialities, and the thoughtless habits acquired in early days amid power and influence, prove very injurious to the community. Therefore no civil servant should be sent to India under twenty-four, or at least twenty-two years of age; and no candidate among them should be admitted into the judicial line of the service, unless he can produce a certificate from a professor of English law, to prove that he possesses a competent knowledge of it: because, though he is not to administer English law, his proficiency therein will be a proof of his capacity for legal studies and judicial duties, and a knowledge of the principles of jurisprudence, as developed in one system of law, will enable him to acquire more readily any other system, just as the study of the ancient and dead languages improves our knowledge of the modern tongues. This is so important, that no public authority should have the power of violating this rule, by admitting to the exercise of judicial functions any one who has not been brought up a lawyer.

Q. 73. How are the laws of inheritance regulated?

A. The property of Mahommedans descends, and is divided according to their own law of inheritance; and the property of Hindus according to their's; and of other sects also, agreeably to their respective laws of inheritance.

Q. 74. What books do the Hindu lawyers, officially attached to the courts, follow as law authorities?

A. There are various books, but in Bengal they chiefly follow the Dayabhāga, with occasional reference to other authorities; and in the western provinces, and a great part of the Dakhan, they follow the Mitaksharā principally.

Q. 75. What books do the Mahommedan lawyers follow as authorities?

A. The majority of the Mussulmans of Hindustan follow the doctrines of Abu Hanifah and his disciples; consequently the Hidāyā is their chief law authority; but they also refer to some other books of decisions or cases, such as the Fatāwāe Alamgīrī, and others.

Q. 76. Is there any mode by which the law authorities, now voluminous and perplexing, might be simplified in such a manner, as to prevent the native lawyers from misleading the courts, and confounding the rights of property?

A. To effect this great and pre-eminently important object, a code of civil law should be formed, on similar principles to those already suggested for the criminal code; and this, as well as the former, should be accurately translated and published under the authority of government, by printing off large impressions, and distributing them at prime cost, in the current languages of the people, so as not only to render the rights of property secure, but also so clear and well known to the whole community, that it would be impossible for any designing man to induce any intelligent person to enter upon litigious suits. The law of inheritance should of course remain as at present, with modifications peculiar to the different sects, until by the diffusion of intelligence the whole community may be prepared to adopt one uniform system. At present, when a new regulation, drawn up by any officer of government, and submitted to it, is approved of, it immediately becomes law when promulgated; the same as an Act of Parliament in this country, when approved of, discussed and sanctioned by King, Lords and Commons. From the want of sufficient local knowledge and experience on the part of the framers of such Regulations, they are often found not to answer in practice, and the local government is thus frequently obliged to rescind the whole, or part of them. I would therefore suggest, that if any new Regulation is thought neces-

sary before the completion of the civil and criminal codes above proposed, that great care and precaution should be observed in its enactment. With this view, every such project of law, before it is finally adopted by the government, should be printed, and a copy sent directly from government, not only to the judges of the Sudder Dewanee Adawlut, and the members of the Board of Revenue, &c., but also to the Advocate-general on the part of the Honourable Company, to the principal zemindars, such as the rajahs of Burdwan, Behar, Benares, &c., and to the highly respectable merchants, such as Jaggat Seth at Murshedabad, Baboo Bajnat at Patna, and the representatives of Baboo Monohur Doss at Benares; also to the muftis of the Sudder Dewanee Adawlut, and the head native officers of the Boards of Revenue, for their opinion on each clause of the Regulation, to be sent in writing within a certain period; because these being the persons who are affected by the Regulations, they will be cautious of recommending anything that is injurious.\* It should still be optional, however, with government to be guided or not by their suggestions; but a copy of the minutes made by the different parties above named should accompany the Regulations, when these are to be transmitted to England for the consideration of the Court of Directors and Parliament, and there should be a standing Committee of the House of Commons to take the whole Regulations and Minutes into consideration, and report to the House, from time to time, on the subject, for their confirmation or amendment.

Par. 2. In such matters as those of war and peace, it may be necessary that the local government should act on its own discretion and responsibility according to existing circumstances, notwithstanding the opinion of the Government in England. But as the affairs of India have been known to the authorities in Europe for such a series of years, in matters of legislation, the local government should be bound to carry into effect any Regulations or orders in judicial and revenue matters sent out, formally enacted by the British Government, or the Court of Directors, under the express sanction of the Board of Commissioners for the Controul of the Affairs of India, although the local government might still remonstrate against them to the home authorities.

Par. 2. The attention thus shown by the Government at home and abroad to the feelings and interests of the zamindars and merchants, as principal members of the community, though it would not confer upon them any political power, would give them an interest in the government, and inspire them with greater attachment to it, and also the whole community, as being under their influence, and in general receiving its opinions from them

Q. 77. Should the civil servants in the judicial and revenue departments be educated expressly for the particular line of the service in which they are engaged, or is it advantageous to transfer them from one branch of it to another?

A. It is found by experience that persons by long habit in the performance of any particular duties, become not only more dexterous, but more reconciled and even attached to them, and find them less irksome than others to which they have not been accustomed. In my humble opinion the duties of a judge are not inferior in difficulty to those of any other profession whatever, nor is the qualification requisite for them to be acquired with less experience. It has been alleged that the revenue officers, when converted into judicial officers, must be better judges of revenue causes: but on this principle commercial officers ought to become judges for the sake of commercial causes, agriculturists for agricultural causes, and mechanists for mechanical disputes; however, as matters of revenue, commerce, agriculture, &c. are decided on the general principles of law and justice, any such special preparation has never been found necessary therefore these two classes of duties should be kept quite distinct, if it is wished that either of them be performed well.

\* Note—In the case of those parties who do not understand English, the draft Regulation, when sent to them, should be accompanied with a translation.

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**Q. 78.** Can you offer any other suggestions for the improvement of the judicial establishment?

**A.** 1st. In order to keep the judicial officers above temptation, their salaries should not be reduced. 2d. With the additional aids and checks of joint native judges (assessors), and juries above proposed (Answer to Q. 30), all civil courts of appeal may be dispensed with, except the supreme civil court (Sudder Dewanee Adawlut), and thus a very considerable saving may be effected by the government: one-tenth of this saving will suffice to support all the native assessors, juries, &c. above recommended (Q. 30). 3dly. By gradually introducing the natives into the revenue department, under the superintendence of European officers (as I proposed in my Appendix A. on the Revenue System), and in the judicial department, in co-operation with them, the natives may become attached to the present system of government, so that it may become consolidated, and maintain itself by the influence of the intelligent and respectable classes of the inhabitants, and by the general good-will of the people, and not any longer stand isolated in the midst of its subjects, supporting itself merely by the exertion of superior force.

**Par. 2.** Should the gradual introduction of the natives into places of authority and trust be found not to answer the expectations of government, it would then have the power of stopping their farther advancement, or even of reversing what might have been already done in their favour. On the contrary, should the proposed plan of combining native with European officers have the effect of improving the condition of the inhabitants, and of stimulating them with an ambition to deserve the confidence of the government, it will then be enabled to form a judgment of the practicability and expediency of advancing natives of respectability and talents to still higher situations of trust and dignity in the state, either in conjunction with, or separately from, their British fellow subjects.

**Par. 3.** In conclusion, I deem it proper to state, that in preparing my replies to these Queries, I have not been biassed by the opinions of any individual whatsoever, nor have I consulted with any person, or even referred to any work which treats on the subject of India. I have, for the facts, consulted my own recollection; and in regard to the opinions expressed, I have been guided only by my conscience, and by the impressions left on my mind by long experience and reflection. In the improvements which I have ventured to suggest, I have kept in view equally the interests of the governors and of the governed; and without losing sight of a just regard to economy, I have been actuated by a desire to see the administration of justice in India placed on a solid and permanent foundation.

RAMMOHUN ROY.

London, September 19th, 1831.

## Appendix, No. 40.

## ADDITIONAL QUERIES respecting the CONDITION of INDIA

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**Question 1.** WILL you state any remarks which you may have to offer upon the physical condition of the Indian peasantry?

**Answer.** India is so extensive a country, that no general statement on this subject will apply correctly to the people of the various parts of it; the natives of the southern and eastern provinces, for example, are by no means equal in physical qualities to those of the northern and western provinces; but, as regards physical strength, they are, upon

the whole, inferior to the northern nations, an inferiority which may be traced, I think, to three principal causes; 1st. the heat of the climate of India, which relaxes and debilitates the constitution; 2d. the simplicity of the food which they use, chiefly from religious prejudices; 3d. the want of bodily exertion and industry to strengthen the corporeal frame, owing principally to the fertility of the soil, which does not render much exertion necessary for gaining a livelihood. Hence the natives of Africa, and some parts of Arabia, though subject to the influence of the same, or perhaps a greater intensity of heat, yet, from the necessity imposed upon them of toiling hard for sustenance, and from using animal food, they are able to cope with any northern race in physical strength; therefore, if the people of India were to be induced to abandon their religious prejudices, and thereby become accustomed to the frequent and common use of a moderate proportion of animal food (a greater proportion of the land being gradually converted to the pasture of cattle), the physical qualities of the people might be very much improved; for I have observed, with respect to distant cousins, sprung from the same family, and living in the same district, when one branch of the family had been converted to Mussulmanism, that those of the Mahommedan branch, living in a freer manner, were distinguished by greater bodily activity and capacity for exertion than those of the other branch which had adhered to the Hindoo simple mode of life.

Q. 2. Will you state your general views with respect to the moral condition of the people?

A. A great variety of opinions on this subject has already been afloat in Europe for some centuries past, particularly in recent times, some favourable to the people of India and some against them. Those Europeans, who on their arrival in the country happened to meet with persons whose conduct afforded them satisfaction, felt prepossessed in favour of the whole native population, and respected them accordingly; others again, who happened to meet with ill-treatment and misfortunes, occasioned by the misconduct or opposition, social or religious, of the persons with whom they chanced to have dealings or communication, represented the whole Indian race in a corresponding light; while some, even without being in the country at all, or seeing or conversing with any natives of India, have formed an opinion of them at second-hand, founded on theory and conjectures. There is however a fourth class of persons, few indeed in number, who, though they seem unprejudiced, yet have differed widely from each other in many of their inferences from facts equally within the sphere of their observations, as generally happens with respect to matters not capable of rigid demonstration. I therefore feel great reluctance in offering an opinion on a subject on which I may unfortunately differ from a considerable number of those gentlemen; however, being called upon for an opinion, I feel bound to state my impression, although I may perhaps be mistaken.

From a careful survey and observation of the *people* and *inhabitants* of various parts of the country, and in every condition of life, I am of opinion that the peasants or villagers who *reside away from* large towns and head stations, and courts of law, are as innocent, temperate and moral in their conduct as the people of any country whatsoever; and the farther I proceed towards the north and west the greater the honesty and simplicity, and independence of character, I meet with. The virtues of this class, however, rest at present chiefly on their primitive simplicity, and a strong religious feeling, which leads them to expect reward or punishment for their good or bad conduct, not only in the next world, but, like the ancient Jews, also in this; 2d. the inhabitants of the cities, towns or stations, who have much intercourse with persons employed about the courts of law, by zemindars, &c., and with foreigners and others in a different state of civilization, generally imbibe their habits and opinions; hence their religious opinions are shaken without any other principles being implanted to supply their place; consequently a great proportion of these are far inferior in point of character to the former class, and are very often even made tools of in the nefarious work of perjury and forgery. 3d. A

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third class consists of persons who are in the employ of landholders (zemindars), or dependent for subsistence on the courts of law, as attorney's clerks, &c., who must rely for a livelihood on their shrewdness, not having generally sufficient means to enter into commerce or business; these are, for the most part, still worse than the second class, more especially when they have no prospect of bettering their condition by the savings of honest industry, and no hope is held out to them of rising to honour or affluence by superior merit. But I must confess that I have met a greater number of the second class engaged in a respectable line of trade, who were men of real merit, worth and character. Even among the third class I have known many who had every disposition to act uprightly, and some actually honest in their conduct; and if they saw by experience that their merits were appreciated, that they might hope to gain an independence by honest means, and that just and honourable conduct afforded the best prospect of their being ultimately rewarded by situations of trust and respectability, they would gradually begin to feel a high regard for character and rectitude of conduct, and from cherishing such feelings become more and more worthy of public confidence, while their example would powerfully operate on the second class above noticed, which is generally dependent on them, and under their influence.

Q. 3. What is the rate of wages generally allowed to the peasantry and labourers?

A. In Calcutta, artisans, such as blacksmiths and carpenters, if good workmen, get (if my memory be correct) from 10 to 12 rupees a month (that is about 20s. to 24s.); common workmen, who do inferior plain work, 5 or 6 rupees (that is about 10s. or 12s. sterling money); masons from 5 to 7 (10s. to 14s.) a month; common labourers about 3½ and some 4 rupees; gardeners or cultivators of land about 4 rupees a month; and palanquin bearers the same. In small towns the rates are something below this; in the country places still lower.

Q. 4. On what kind of provisions do they subsist?

A. In Bengal they live most commonly on rice, with a few vegetables, salt and hot spices, and fish. I have, however, often observed the poorer classes living on rice and salt only. In the Upper Provinces they use wheaten flour instead of rice, and the poorer classes frequently use *bajarah*, &c. (millet, &c.) The Mahomedans in all parts, who can afford it, add fowl and other animal food. A full grown person in Bengal consumes, I think, from about 1lb. to 1½lb. of rice a-day; in the Upper Provinces a larger quantity of wheaten flour, even though so much more nourishing. [The *vaishya* (persons of the third class) and the Brahmins of the Deccan, never eat flesh under any circumstances.]

Q. 5. What sort of houses do they inhabit?

A. In higher Bengal and the Upper and the Western Provinces they occupy mud huts; in the lower and eastern parts of Bengal, generally hovels composed of straw, mats and sticks; the higher classes only having houses built of brick and lime.

Q. 6. How are they clothed?

A. The Hindoos of the Upper Provinces wear a turban on the head, a piece of cotton cloth (called a *chadar*) wrapped round the chest, and another piece girt closely about the loins, and falling down towards the knee, besides, they have frequently under the *chadar* a vest or waistcoat cut and fitted to the person. In the Lower Provinces they generally go bareheaded; the lower garment is worn more open, but falling down towards the ankle; and the poorer class of labourers have merely a small strip of cloth girt round their loins for the sake of decency, and are in other respects quite naked.

The Mahommedans every where use the turban, and are better clad. The respectable and wealthy classes of people, both Mussulmans and Hindoos, are of course dressed in a more respectable and becoming manner.

Q. 7. Can you state the rate of increase in the population?

A. It increases considerably from the early marriages of the people, and from the males so seldom leaving their families, and almost never going abroad. But there are occasional strong natural checks to this superabundance. The vast number carried off of late years, by cholera morbus, having greatly relieved the pressure of surplus population, the condition of the labourers has since been much improved in comparison with what it was before the people were thinned by that melancholy scourge.

Q. 8. What is the character of their industry?

A. The Mahommedans are more active and capable of exertion than the Hindoos, but the latter are also generally patient of labour, and diligent in their employments; and those of the Upper Provinces not inferior to the Mahommedans themselves in industry.

Q. 9. What capability of improvement do they possess?

A. They have the same capability of improvement as any other civilized people.

Q. 10. What degree of intelligence exists among the native inhabitants?

A. The country having been so long under subjection to the arbitrary military government of the Mahommedan rulers, which showed little respect for Hindoo learning, it has very much decayed, and indeed almost disappeared, except among the Brahmins in some parts of the Dakhan (Deccan), and of the eastern side of India, more distant from the chief seat of the Mahommedan government. The Mussulmans as well as the more respectable classes of Hindoos chiefly cultivated Persian literature; a great number of the former and a few of the latter also extending their studies likewise to Arabic. This practice has partially continued down to the present time, and among those who enjoy this species of learning, as well as among those who cultivate Sanscrit literature, many well-informed and enlightened persons may be found, though from their ignorance of European literature, they are not naturally much esteemed by such Europeans as are not well versed in Arabic or Sanscrit.

Q. 11. How are the people in regard to education?

A. Those about the courts of the native princes are not inferior in point of education and accomplishments to the respectable and well-bred classes in any other country. Indeed, they rather carry their politeness and attention to courtesy to an inconvenient extent. Some seminaries of education (as at Benares, &c. &c. &c.) are still supported by the princes, and other respectable and opulent native inhabitants, but often in a very irregular manner. With respect to the Hindoo college in Calcutta, established under the auspices of government on a highly respectable and firm footing, many learned Christians object to the system therein followed of teaching literature and science without religion being united with them, because they consider this as having a tendency to destroy the religious principles of the students (in which they were first brought up, and which, consequently, were a check on their conduct) without substituting anything religious in their stead.

Q. 12. What influence has superstition over the conduct of the people?

A. I have already noticed this in reply to Q. 2.

V.  
REVENUE  
AND JUDICIAL  
SYSTEM.

Rammohun Roy's  
Opinions on the  
Condition of India

**V.****REVENUE  
AND JUDICIAL  
SYSTEM.**

Rammohun Roy's  
Opinions on the  
Condition of India.

**Q. 13.** What is the prevailing opinion of the native inhabitants regarding the existing form of government, and its administrators, native and European?

**A.** The peasantry and villagers in the interior are quite ignorant of, and indifferent about either the former or present government, and attribute the protection they may enjoy, or oppression they may suffer, to the conduct of the public officers immediately presiding over them. But men of aspiring character, and members of such ancient families as are very much reduced by the present system, consider it derogatory to accept of the trifling public situations which natives are allowed to hold under the British government, and are decidedly disaffected to it. Many of those, however, who engage prosperously in commerce, and of those who are secured in the peaceful possession of their estates by the permanent settlement, and such as have sufficient intelligence to foresee the probability of future improvement which presents itself under the British rule, are not only reconciled to it, but really view it as a blessing to the country.

But I have no hesitation in stating, with reference to the general feeling of the more intelligent part of the native community, that the only course of policy which can ensure their attachment to any form of government would be, that of making them eligible to gradual promotion, according to their respective abilities and merits, to situations of trust and respectability in the state.

London,  
Sept. 28, 1831.

**RAMMOHUN ROY.**

**VI.**  
**CLAIMS**  
**OF**  
**HIS MAJESTY'S GOVERNMENT**  
**AND THE**  
**EAST-INDIA COMPANY.**



## VI.

## CLAIMS.

Company's  
Claims on  
Government.

## Appendix, No. 41.

AN ABSTRACT STATEMENT of the CLAIMS of the EAST-INDIA COMPANY upon His Majesty's GOVERNMENT, for SUPPLIES furnished, and EXPENSES incurred in India and in England on various Accounts, with Interest calculated thereon to 30th April 1821.

	PRINCIPAL.	INTEREST.	TOTAL.
	£.	£.	£.
Balance due on former account for Ceylon and the Eastern Islands,			
1 March 1808 .. .. .	1,020,184		
Interest to 1 March 1808 .. .. . £952,800			
Further interest to 30 April 1821 .. .. . 1,208,918			
Total .. .. £	—	2,161,718	3,181,902
EASTERN ISLANDS: Old Account:			
1806-7:			
Charges at Fort St. George, under the head of "Expedition against the Dutch Settlements" per general books; arrears of former years, family payments, &c. .. .. .	44,336		
Interest at 8·032 per cent. from 1 Nov. 1806 to 30 April 1821 .. .. .	—	51,635	
Total .. ..	—	—	95,971
1807-8:			
Charges .. .. .	14,409		
Interest at 7·975 per cent. from 1 Nov. 1807 to 30 April 1821 .. .. .	—	15,513	
Total .. ..	—	—	29,922
1808-9:			
Charges .. .. .	43,103		
Interest at 7·58 per cent. from 1 Nov. 1808 to 30 April 1821 .. .. .	—	40,840	
Total .. ..	—	—	89,943
1809-10:			
Charges .. .. .	23,539		
Interest at 6·353 per cent. from 1 Nov. 1809 to 30 April 1821 .. .. .	—	17,197	
Total .. ..	—	—	40,736
1810-11:			
Charges .. .. .	24,493		
Interest at 5·971 per cent. from 1 Nov. 1810 to 30 April 1821 .. .. .	—	16,356	
Total .. ..	—	—	39,849
1811-12:			
Charges .. .. .	7,928		
Interest at 6·3 per cent. from 1 Nov. 1811 to 30 April 1821 .. .. .	—	4,745	
Total .. ..	—	—	12,673

(continued on next page.)

Appendix, No. 41—*continued*.VI.  
CLAIMSCompany's  
Claims on  
Government.

Eastern Islands : Old Account— <i>continued</i> .		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
1812-13 :				
Charges .. .. .		5,012		
Interest at 6·025 per cent. from 1 Nov. 1812 to 30 April 1821 ..		—	2,567	
Total .. .. .		—	—	7,579
1813-14 :				
Charges .. .. .		24,399		
Interest at 6 per cent. from 1 Nov. 1813 to 30 April 1821 ..		—	10,980	
Total .. .. .		—	—	35,379
1814-15 :				
Charges .. .. .		1,472		
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..		—	574	
Total .. .. .		—	—	2,046
1815-16 :				
Charges .. .. .		457		
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821 ..		—	150	
Total .. .. .		—	—	607
1816-17 :				
Charges .. .. .		526		
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821 ..		—	142	
Total .. .. .		—	—	668
1817-18 :				
Charges .. .. .		2,648		
Interest at 6 per cent. from 1 Nov. 1817 to 30 April 1821 ..		—	556	
Total .. .. .		—	—	3,204
1818-19 :				
Charges .. .. .		7,026		
Interest at 6 per cent. from 1 Nov. 1818 to 30 April 1821 ..		—	1,054	
Total .. .. .		—	—	8,080
1819-20 :				
Charges .. .. .		6,363		
Interest at 6 per cent. from 1 Nov. 1819 to 30 April 1821 ..		—	573	
Total .. .. .		—	—	6,936
Add,		205,711	161,882	367,593
A Bill of Exchange on the Government of Batavia for Rix Dollars 70,897. 0. 21. granted for goods sold to the Dutch on the restitution of Amboyna in 1803, not paid on account of the renewal of hostilities, equal to Spanish dollars 53,173, or at 5s. the Spanish dollar .. .. .		13,293		
Interest from 1 Feb. 1803 to 30 April 1821, at 7·82 per cent. ..		—	18,972	
Total .. .. .		—	—	32,265
Total Eastern Islands .. .. £		219,004	180,854	399,858

## Appendix, No. 41—continued.

VI.  
CLAIMS.  
Company's  
Claims on  
Government.

	PRINCIPAL.	INTEREST.	TOTAL.
	£.	£.	£.
<b>CEYLON:</b>			
Balance in favour of the Company on account			
Transactions with this Island in the following years:			
1807-8:			
Supplies from India, deducting cinnamon received .. ..	6,297		
Interest at 7·975 per cent. 1 Nov. 1807 to 30 April 1821 .. ..	—	6,780	
Total .. ..	—	—	13,077
1808-9:			
Ditto .. .. ditto .. ..	20,449		
Interest at 7·58 per cent. 1 Nov. 1808 to 30 April 1821 .. ..	—	19,375	
Total .. ..	—	—	39,824
1809-10:			
Ditto .. .. ditto .. ..	2,509		
Interest at 6·353 per cent. 1 Nov. 1809 to 30 April 1821 .. ..	—	1,833	
Total .. ..	—	—	4,342
1811-12:			
Ditto .. .. ditto .. ..	17,024		
Interest at 6·3 per cent. 1 Nov. 1811 to 30 April 1821 .. ..	—	10,189	
Total .. ..	—	—	27,213
1813-14:			
Ditto .. .. ditto .. ..	74,242		
Interest at 6 per cent. 1 Nov. 1813 to 30 April 1821 .. ..	—	33,409	
Total .. ..	—	—	107,651
1815-16:			
Ditto .. .. and payments in England on account of cinnamon, deducting cinnamon received .. ..	7,081		
Interest at 6 per cent. 1 Nov. 1815 to 30 April 1821 .. ..	—	2,337	
Total .. ..	—	—	9,418
1818-19:			
Ditto .. .. ditto deducting ditto, and bills received on account supplies .. ..	296,823		
Interest at 6 per cent. 1 Nov. 1818 to 30 April 1821 .. ..	—	44,523	
Total .. ..	—	—	341,346
1819-20:			
Ditto .. .. ditto deducting ditto, ditto .. ..	75,649		
Interest at 6 per cent. 1 Nov. 1819 to 30 April 1821 .. ..	—	6,808	
Total .. ..	—	—	82,457
	500,074	125,254	625,328
Add,			
Payments in the department of the Committee of Shipping .. ..	70,807	71,998	142,805
£	570,881	197,252	768,133
Deduct,			
Balance in favour of His Majesty's Government in the following Years:			
1810-11:			
Cinnamon received in excess of supplies from India .. ..	2,868		
Interest at 5·971 per cent. from 1 Feb. 1811 to 30 April 1821 .. ..	—	1,755	
Total .. ..	—	—	4,623

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

	PRINCIPAL.	INTEREST.	TOTAL.
<b>CEYLON—continued.</b>			
1812-13:	£.	£.	£.
Cinnamon received in excess of Supplies from India .. ..	26,050	—	—
Interest at 6·025 per cent. from 1 April 1813 to 30 April 1821 ..	—	12,687	—
Total .. ..	—	—	38,737
1814-15:			
Ditto .. .. ditto .. ..	16,338	—	—
Interest at 6 per cent. from 1 April 1815 to 30 April 1821 ..	—	5,963	—
Total .. ..	—	—	22,301
1816-17:			
Ditto .. ditto .. including Bills and Payments in England	20,659	—	—
Interest at 6 per cent. from 1 March 1817 to 30 April 1821 ..	—	5,165	—
Total .. ..	—	—	25,824
1817-18:			
Ditto .. .. ditto .. .. ditto .. ..	19,785	—	—
Interest at 6 per cent. from 1 March 1818 to 30 April 1821 ..	—	3,759	—
Total .. ..	—	—	23,544
	85,700	29,329	115,029
NET BALANCE in favour of the Company .. .. £	485,181	167,923	653,104
<b>CAPE OF GOOD HOPE:</b>			
1806-7:			
Supplies, payments on account of, &c. .. ..	5,900	—	—
Interest at 8·032 per cent. from 1 Nov. 1806 to 30 April 1821 ..	—	6,872	—
Total .. ..	—	—	12,772
1807-8:			
Supplies, &c. .. ..	18,652	—	—
Interest at 7·975 per cent. from 1 Nov. 1807 to 30 April 1821 ..	—	20,079	—
Total .. ..	—	—	38,731
Add,			
Amount of Bills drawn by the Government of the Cape on the Asiatic Council in Holland in 1802, for sundry goods, &c. sold to the Dutch; the bills were endorsed to the Company here, but payment was refused in consequence of the recommencement of hostilities .. .. £15,166			
The produce of sales and value of goods remaining unsold at the Cape, which were sequestrated by the Dutch Government, amounted to .. .. 36,780			
	51,946		
Interest thereon at 8 per cent. per annum, from 1 Nov. 1803 to 30 April 1821 .. ..	—	72,723	—
Total .. ..	—	—	124,669
1819-20:			
Supplies of wheat from Bengal .. ..	14,556	—	—
Interest at 6 per cent. to 30 April 1821 .. ..	—	1,440	—
Total .. ..	—	—	15,996
TOTAL CAPE .. .. £	91,054	101,114	192,168

(continued on next page.)

## VI.

## CLAIMS.

Company's  
Claims on  
Government.

## Appendix,—No. 41—continued.

SUPPLIES, STORES, &c. to His Majesty's Ships in India :		PRINCIPAL.	INTEREST.	TOTAL.
1806-7 :		£.	£.	£.
Supplies, stores, and sundry payments ..	27,583			
Interest at 8·032 per cent. from 1 Nov. 1806 to 30 April 1821 ..	—	32,124		
Total ..	—	—		59,707
1807-8 :				
Ditto ..	22,283			
Interest at 7·975 per cent. from 1 Nov. 1807 to 30 April 1821 ..	—	23,990		
Total ..	—	—		46,273
1808-9 :				
Ditto ..	19,725			
Interest at 7·58 per cent. from 1 Nov. 1808 to 30 April 1821 ..	—	18,689		
Total ..	—	—		38,414
1809-10 :				
Ditto ..	24,532			
Interest at 6·353 per cent. from 1 Nov. 1809 to 30 April 1821 ..	—	17,923		
Total ..	—	—		42,455
1810-11 :				
Ditto ..	25,635			
Interest at 5·971 per cent. from 1 Nov. 1810 to 30 April 1821 ..	—	16,072		
Total ..	—	—		41,707
1811-12 :				
Ditto ..	10,040			
Interest at 6·3 per cent. from 1 Nov. 1811 to 30 April 1821 ..	—	6,011		
Total ..	—	—		16,051
1812-13 :				
Ditto ..	17,246			
Interest at 6·025 per cent. from 1 Nov. 1812 to 30 April 1821 ..	—	8,832		
Total ..	—	—		26,078
1813-14 :				
Ditto ..	17,212			
Interest at 6 per cent. from 1 Nov. 1813 to 30 April 1821 ..	—	7,744		
Total ..	—	—		24,956
1814-15 :				
Ditto ..	9,847			
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..	—	3,841		
Total ..	—	—		13,688
1815-16 :				
Ditto ..	18,164			
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821 ..	—	5,995		
Total ..	—	—		24,159
1816-17 :				
Ditto ..	6,424			
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821 ..	—	1,734		
Total ..	—	—		8,158
1817-18 :				
Ditto ..	166			
Interest at 6 per cent. from 1 Nov. 1817 to 30 April 1821 ..	—	35		
Total ..	—	—		201
1818-19 :				
Ditto ..	1,110			
Interest at 6 per cent. from 1 Nov. 1818 to 30 April 1821 ..	—	166		
Total ..	—	—		1,276
TOTAL Supplies to His Majesty's Ships .. .. £	199,967	143,156		343,123

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

EXPEDITION TO THE FRENCH ISLANDS:				PRINCIPAL.	INTEREST.	TOTAL.
				£.	£.	£.
1809-10:						
Supplies on this account in excess of payments .. .. .				120,574		
Interest at 6·353 per cent. from 1 Nov. 1809 to 30 April 1821 ..				—	88,091	
Total .. .. .				—	—	208,665
1810-11:						
Ditto .. ditto .. .. .				1,145,249		
Interest at 5·971 per cent. from 1 Nov. 1810 to 30 April 1821 ..				—	718,020	
Total .. .. .				—	—	1,863,269
1811-12:						
Ditto .. ditto .. .. .				948,865		
Interest at 6·3 per cent. from 1 Nov. 1811 to 30 April 1821 ..				—	567,896	
Total .. .. .				—	—	1,516,761
1812-13:						
Ditto .. ditto .. .. .				283,592		
Interest at 6·025 per cent. from 1 Nov. 1812 to 30 April 1821 ..				—	145,235	
Total .. .. .				—	—	428,827
1813-14:						
Ditto .. ditto .. .. .				130,886		
Interest at 6 per cent. from 1 Nov. 1813 to 30 April 1821 ..				—	58,899	
Total .. .. .				—	—	189,785
1814-15:						
Ditto .. ditto .. .. .				131,239		
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..				—	51,183	
Total .. .. .				—	—	182,422
1815-16:						
Ditto .. ditto .. .. .				355,869		
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821 ..				—	117,437	
Total .. .. .				—	—	473,306
1816-17:						
Ditto .. ditto .. .. .				153,207		
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821 ..				—	41,366	
Total .. .. .				—	—	194,735
1817-18:						
Supplies on this account in excess of payment .. .. .				34,623		
Interest at 6 per cent. from 1 Nov. 1817 to 30 April 1821 ..				—	7,271	
Total .. .. .				—	—	41,894
1819-20:						
Ditto .. ditto .. .. .				31,497		
Interest at 6 per cent. from 1 Nov. 1819 to 30 April 1821 ..				—	2,835	
Total .. .. .				—	—	34,332
				£ 3,335,601	1,798,233	5,133,834

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.  
—  
Companies  
Claims on  
Government.

Expedition to the French Islands—continued.		PRINCIPAL.	INTEREST.	TOTAL.
Add,				
1810-11:		£.	£.	£.
Supplies from the Cape of Good Hope .. .. .	..	13,572	—	—
Interest at 5 per cent. from 1 Nov. 1810 to 30 April 1821 ..	..	—	7,127	—
Total .. .. .	..	—	—	20,699
1811-12:				
Ditto .. ditto .. .. .	..	2,688	—	—
Interest at 5 per cent. from 1 Nov. 1811 to 30 April 1821 ..	..	—	1,275	—
Total .. .. .	..	—	—	3,963
1812-13:				
Ditto .. ditto .. .. .	..	3,432	—	—
Interest at 5 per cent. from 1 Nov. 1812 to 30 April 1821 ..	..	—	1,459	—
Total .. .. .	..	—	—	4,891
Freight and other expenses paid in England .. .. .	..	77,533	—	77,533
Total on account Expedition to French Islands .. .. .	£	3,432,826	1,808,094	5,240,920
EXPEDITION TO JAVA:				
1810-11:				
Supplies on this account in excess of payments .. .. .	..	644,484	—	—
Interest at 5·971 per cent. from 1 Nov. 1810 to 30 April 1821 ..	..	—	404,062	—
Total .. .. .	..	—	—	1,048,546
1811-12:				
Ditto .. ditto .. .. .	..	949,360	—	—
Interest at 6·3 per cent. from 1 Nov. 1811 to 30 April 1821 ..	..	—	568,192	—
Total .. .. .	..	—	—	1,517,552
1812-13:				
Ditto .. ditto .. .. .	..	694,718	—	—
Interest at 6·025 per cent. from 1 Nov. 1812 to 30 April 1821 ..	..	—	355,782	—
Total .. .. .	..	—	—	1,050,500
1813-14:				
Ditto .. ditto .. .. .	..	456,051	—	—
Interest at 6 per cent. from 1 Nov. 1813 to 30 April 1821 ..	..	—	205,223	—
Total .. .. .	..	—	—	661,274
1814-15:				
Ditto .. ditto .. .. .	..	650,422	—	—
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..	..	—	253,664	—
Total .. .. .	..	—	—	904,086
1815-16:				
Ditto .. ditto .. .. .	..	217,397	—	—
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821 ..	..	—	71,741	—
Total .. .. .	..	—	—	289,138
1816-17:				
Ditto .. ditto .. .. .	..	181,707	—	—
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821 ..	..	—	49,061	—
Total .. .. .	..	—	—	230,768
1817-18:				
Ditto .. ditto .. .. .	..	154,501	—	—
Interest at 6 per cent. from 1 Nov. 1817 to 30 April 1821 ..	..	—	32,445	—
Total .. .. .	..	—	—	186,946
Freight and other charges in England .. .. .	..	113,023	—	113,023
Total on account Expedition to Java .. .. .	£	4,061,663	1,940,170	6,001,833

(continued on next page.)

## Appendix, No 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

EXPEDITION TO THE MOLUCCAS:					PRINCIPAL.	INTEREST.	TOTAL.
					£.	£.	£.
1809-10:							
Supplies, Expenses, &c.	..	..	..	..	2,762		
Interest at 6.353 per cent. from 1 Nov. 1809 to 30 April 1821	..	..	..	..	—	2,019	
Total	..	..	..	..	—	—	4,781
1810-11:							
Ditto	..	ditto	..	..	195,792		
Interest at 5.971 per cent. from 1 Nov. 1810 to 30 April 1821	..	..	..	..	—	122,754	
Total	..	..	..	..	—	—	318,546
1811-12:							
Ditto	..	ditto	..	..	129,917		
Interest at 6.3 per cent. from 1 Nov. 1811 to 30 April 1821	..	..	..	..	—	77,756	
Total	..	..	..	..	—	—	207,673
1812-13:							
Supplies, Expenses, &c.	..	..	..	..	143,715		
Interest at 6.025 per cent. from 1 Nov. 1812 to 30 April 1821	..	..	..	..	—	73,598	
Total	..	..	..	..	—	—	217,313
1813-14:							
Ditto	..	ditto	..	..	62,757		
Interest at 6 per cent. from 1 Nov. 1813 to 30 April 1821	..	..	..	..	—	28,242	
Total	..	..	..	..	—	—	90,999
1814-15:							
Ditto	..	ditto	..	..	62,129		
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821	..	..	..	..	—	24,230	
Total	..	..	..	..	—	—	86,359
1815-16:							
Ditto	..	ditto	..	..	101,275		
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821	..	..	..	..	—	33,423	
Total	..	..	..	..	—	—	134,698
1816-17:							
Ditto	..	ditto	..	..	32,859		
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821	..	..	..	..	—	8,870	
Total	..	..	..	..	—	—	41,729
1817-18:							
Ditto	..	ditto	..	..	16,510		
Interest at 6 per cent. from 1 Nov. 1817 to 30 April 1821	..	..	..	..	—	3,465	
Total	..	..	..	..	—	—	19,975
Deduct,					747,716	374,357	1,122,073
The value of Spices sold by the Company, for which Cash has been received to 30 April 1821	..	..	..	..	655,795		
Interest thereon to 30 April 1821	..	..	..	..	—	169,319	
Total	..	..	..	..	—	—	825,114
TOTAL on Account the Moluccas	..	..	..	£	91,921	205,038	296,959



## VI.

## CLAIMS.

Company's  
Claims on  
Government.

## Appendix, No. 41—continued.

	PRINCIPAL.	INTEREST.	TOTAL.
<b>DIPLOMATIC EXPENSES ON ACCOUNT PERSIA:</b>			
1811-12:	£.	£.	£.
Amount of Expenses incurred from Mar. 1811 to April 1812 ..	46,225	—	—
Interest at 6·3 per cent. from 1 Nov. 1811 to 30 April 1821 ..	—	27,666	—
Total .. ..	—	—	73,891
1812-13:			
Amount of Expenses incurred from May 1812 to April 1813 ..	39,065	—	—
Interest at 6·025 per cent. from 1 Nov. 1812 to 30 April 1821 ..	—	20,006	—
Total .. ..	—	—	59,071
1813-14:			
Amount of Expenses incurred from May 1813 to April 1814 ..	42,072	—	—
Interest at 6 per cent from 1 Nov. 1813 to 30 April 1821 ..	—	18,932	—
Total .. ..	—	—	61,004
1814:			
Amount of Expenses incurred from May to June 1814 ..	13,251	—	—
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..	—	5,168	—
Total .. ..	—	—	18,419
	140,613	71,772	212,385
1814-15:			
Amount of Expenses incurred from July 1814 to April 1815 ..	21,482	—	—
Interest at 6 per cent. from 1 Nov. 1814 to 30 April 1821 ..	—	8,378	—
Total .. ..	—	—	29,860
1815:			
Amount of Expenses incurred from May to December 1815 ..	6,968	—	—
Interest at 6 per cent. from 1 Nov. 1815 to 30 April 1821 ..	—	2,299	—
Total .. ..	—	—	9,267
1816-17:			
Amount of Expenses incurred from May 1816 to March 1817 ..	2,912	—	—
Interest at 6 per cent. from 1 Nov. 1816 to 30 April 1821 ..	—	786	—
Total .. ..	—	—	3,698
<b>TOTAL on account Persian Embassy .. .. £</b>	<b>171,975</b>	<b>83,235</b>	<b>255,210</b>
<b>ADVANCES IN INDIA FOR NAVAL SERVICES:</b>			
1811-12:			
Advances for which Bills were drawn, but a part of			
which only were paid .. .. . £162,348			
Deduct, Amount paid in January and February 1813 ..			63,925
	98,423		
Interest from the dates of Bills to time of payment at			
6·3 per cent. .. .. . 3,756			
Plus on Bills not paid, from their dates to 30 April			
1821 .. .. . 60,435			
<b>Total .. ..</b>	<b>—</b>	<b>64,191</b>	<b>162,614</b>

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## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

Advances for Naval services—continued.		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
1812-13:				
Advances .. .. .	£70,862			
Deduct, Bills drawn .. .. .	69,009	1,853		
Interest at 6·025 per cent. from dates of bills to time of payment .. .. .	4,094			
Ditto on £1,853, from 1 November 1812 to 30 April 1821 .. .. .	949		5,043	
Total .. .. .		—	—	6,896
1813-14:				
Advances .. .. .	£116,502			
Deduct, Bills drawn .. .. .	81,338	35,164		
Interest at 6 per cent. from date of bills to time of payment .. .. .	4,880			
Ditto on £35,164, from 1 November 1813 to 30 April 1821 .. .. .	15,824		20,704	
Total .. .. .		—	—	55,868
1814-15:				
Advances .. .. .	£90,310			
Deduct, Bills drawn .. .. .	74,074	16,236		
Interest at 6 per cent. from dates of bills to time of payment .. .. .	4,444			
Ditto on £16,236, from 1 November 1814 to 30 April 1821 .. .. .	6,332		19,776	
Total .. .. .		—	—	27,012
1815-16:				
Advances .. .. .	£111,695			
Deduct, Bills drawn .. .. .	95,737	15,958		
Interest at 6 per cent. from dates of bills to time of payment .. .. .	5,744			
Ditto on £15,958, from 1 November 1815 to 30 April 1821 .. .. .	5,266		11,010	
Total .. .. .		—	—	26,968
1816-17:				
Advances .. .. .	£113,340			
Deduct, Bills drawn .. .. .	97,029	16,311		
Interest on £16,311, at 6 per cent. from 1 Nov. 1816 to 30 April 1821 .. .. .			4,404	
Total .. .. .		—	—	20,715
TOTAL Advances in India for Naval Services .. £		183,945	116,128	300,073

VI.  
CLAIMS.

## Appendix, No. 41—continued.

Company's  
Claims on  
Government.

		PRINCIPAL.	INTEREST.	TOTAL.
EXTRA EXPENSES incurred at ST. HELENA on account NAPOLEON BONAPARTE's detention on that Island :		£.	£.	£.
1815-16	.. .. .	111,203	—	—
Interest at 5 per cent. from 1 April 1816 to 30 April 1821	.. .. .	—	28,264	—
Total	.. .. .	—	—	139,467
1816-17	.. .. .	205,705	—	—
Interest at 5 per cent. from 1 April 1817 to 30 April 1821	.. .. .	—	41,998	—
Total	.. .. .	—	—	247,703
1817-18	.. .. .	153,595	—	—
Interest at 5 per cent. from 1 April 1818 to 30 April 1821	.. .. .	—	23,679	—
Total	.. .. .	—	—	177,274
1818-19	.. .. .	204,459	—	—
Interest at 5 per cent. from 1 April 1819 to 30 April 1821	.. .. .	—	21,298	—
Total	.. .. .	—	—	225,757
1819-20 : 1 Oct. 1819 to 30 April 1820	.. .. .	108,069	—	—
Interest at 5 per cent. from 1 Feb. 1820 to 30 April 1821	.. .. .	—	6,754	—
Total	.. .. .	—	—	114,823
1820-21	.. .. .	167,896	—	—
Interest at 5 per cent. from 1 Nov. 1820 to 30 April 1821	.. .. .	—	4,197	—
Total	.. .. .	—	—	172,093
TOTAL Extra Expenses at St. Helena	.. £	950,927	126,190	1,077,117
EXPENSE OF BUILDING SHIPS IN INDIA FOR HIS MAJESTY'S SERVICE :				
"Salsette" frigate, built at Bombay :				
1806-7 :				
Expense, Rupees 2,48,195, at 2s. 3d. the rupee	.. .. .	27,922	—	—
Interest at 8.032 per cent. from 1 Nov. 1806 to 30th April 1821	.. .. .	—	32,517	—
Total	.. .. .	—	—	60,439
"Penang" frigate, built at Prince of Wales' Island :				
February 1808 to January 1810 :				
Expense, Dollars at 5s. each	.. .. .	£36,064	—	—
Interest from 1st Aug. in each year to 30th April 1821	.. .. .	—	28,160	—
Expense at Bengal, Ct. Rups. 1,01,736, at 2s.	.. .. .	10,174	—	—
Interest at 6.353 per cent. 1st Nov. 1809 to 30th April 1821	.. .. .	46,238	—	—
Total	.. .. .	—	7,435	81,883
1810-11, 1811-12, 1812-13 :				
"Penang" frigate : sundry expenses defrayed upon this ship's arrival in England	.. .. .	2,581	—	—
Interest at different rates, from 1st November in each year to 30th April 1821	.. .. .	—	1,145	—
Total	.. .. .	—	—	3,726
"Minden," built at Bombay :				
1807-8, Rupees 32,063, at 2s. 3d. the rupee	.. .. .	£3,607	—	—
1808-9, .. 1,43,133	.. .. .	—	—	16,103
1809-10, .. 2,30,873	.. .. .	—	—	25,973
1810-11, .. 22,913	.. .. .	—	—	2,577
Interest at different rates, from 1st November in each year to 30th April 1821	.. .. .	48,260	—	—
Total	.. .. .	—	39,734	87,994

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## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

Expense of building Ships—continued.	PRINCIPAL.	INTEREST.	TOTAL.*
<b>"Cornwallis," built at Bombay:</b>			
August 1811 to July 1813:	£.	£.	£.
Rupees 3,96,361, at 2s. 3d. the rupee .. .. .	44,591		
Interest at different rates, from 1st February in each year to 30th April 1821 .. .. .	—	23,727	
Total .. .. .	—	—	68,318
<b>"Timbers and Planks," for building a 74-gun Ship sent to England per "Cornwallis":</b>			
January to November 1813:			
Rupees 77,774, at 2s. 3d. the rupee .. .. .	8,750		
Interest at 6 per cent. to 30th April 1821 .. .. .	—	4,114	
Total .. .. .	—	—	12,864
<b>"Wellesley," built at Bombay:</b>			
May 1813 to April 1815:			
Rupees 3,37,672, at 2s. 3d. the rupee .. .. .	37,988		
Interest at 6 per cent. from 1st Sept. 1814 to 30th April 1821 .. .. .	—	16,145	
Total .. .. .	—	—	54,133
<b>Brig "Victor," built at Bombay:</b>			
January to November 1814:			
Rupees 54,834, at 2s. 3d. the rupee .. .. .	6,169		
Interest at 6 per cent. from 1st June 1814 to 30th April 1821 .. .. .	—	2,560	
Total .. .. .	—	—	8,729
<b>"Timbers and Planks," for building a 74-gun Ship sent to Europe:</b>			
May 1814 to April 1815:			
Rupees 80,400, at 2s. 3d. .. .. .	9,045		
Interest at 6 per cent. from 1st Nov. 1814 to 30th April 1821 .. .. .	—	3,528	
Total .. .. .	—	—	12,573
<b>Brigantine "Sphinx," built at Bombay:</b>			
March 1814 to January 1815:			
Rupees 34,277, at 2s. 3d. the rupee .. .. .	3,856		
Interest at 6 per cent. from 1st Sept. 1814 to 30th April 1821 .. .. .	—	1,544	
Total .. .. .	—	—	5,400
<b>"Amphitrite" frigate, built at Bombay:</b>			
July 1814 to April 1816:			
Rupees 1,91,547, at 2s. 3d. the rupee .. .. .	21,549		
Interest at 6 per cent. from 1st December in each year to 30th April 1821 .. .. .	—	7,538	
Total .. .. .	—	—	29,087

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.  
Company's  
Claims on  
Government.

Expense of building Ships—continued.	PRINCIPAL.	INTEREST.	TOTAL.
<b>"Melville," built at Bombay:</b>	£.	£.	£.
March 1815 to March 1817:			
Rupees 3,60,261, at 2s. 3d. the rupee .. .. .	40,529		
Interest at 6 per cent. from 1st September in each year to 30th April 1821 .. .. .	—	12,051	
Total .. .. .	—	—	52,580
<b>Brig "Zebra," built at Bombay:</b>			
May 1814 to November 1815:			
Rupees 59,091, at 2s. 3d. the rupee .. .. .	6,648		
Interest at 6 per cent. from 1st February 1815 to 30th April 1821 .. .. .	—	2,493	
Total .. .. .	—	—	9,141
<b>Brigantine "Camelcon," built at Bombay:</b>			
February 1815 to January 1816:			
Rupees 35,273, at 2s. 3d. the rupee .. .. .	3,968		
Interest at 6 per cent. from 1st Aug. 1815 to 30th April 1821 .. .. .	—	1,369	
Total .. .. .	—	—	5,337
<b>"Trincomalee" frigate, built at Bombay:</b>			
October 1814 to October 1817:			
Rupees 2,11,448, at 2s. 3d. the rupee .. .. .	23,788		
Interest at 6 per cent. to 30th April 1821 .. .. .	—	5,989	
Total .. .. .	—	—	29,777
<b>"Timbers and Planks" for building a 74-gun Ship, sent home per "Melville:"</b>			
December 1816 to May 1817:			
Rupees 74,850, at 2s. 3d. the rupee .. .. .	8,421		
Interest at 6 per cent. from 1st March 1817 to 30th April 1821 .. .. .	—	2,104	
Total .. .. .	—	—	10,525
<b>"Malabar," built at Bombay:</b>			
February 1817 to January 1819:			
Rupees 3,82,599, at 2s. 3d. the rupee .. .. .	43,043		
Interest at 6 per cent. from 1st August in each year to 30th April 1821 .. .. .	—	8,247	
Total .. .. .	—	—	51,290
<b>Expense of Building Ships, &amp;c. .. £</b>	<b>383,346</b>	<b>200,400</b>	<b>583,746</b>

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

Expense of building Ships—continued.	PRINCIPAL.	INTEREST.	TOTAL.
Deduct, Bills drawn by the Naval Commissioner, viz.	£.	£.	£.
On account of the ship "Cornwallis," Rupees 3,79,321, at 2s. 3d. the rupee	42,674		
Interest at 6 per cent. from the 27th August 1814, when the bill was paid, to 30th April 1821 .. .. .	—	17,096	
Total .. .. .	—	—	59,770
On account of "Timbers and Planks" for building a 74-gun ship sent to Europe in the "Cornwallis," Rupees 76,599, at 2s. 3d. the rupee .. .. .	8,617		
Interest at 6 per cent. from 8th September 1814, when the bill was paid, to 30th April 1821 .. .. .	—	3,436	
Total .. .. .	—	—	12,053
On account of the "Wellesley," Rupees 3,41,457, at 2s. 3d. the rupee .. .. .	38,414		
Interest at 6 per cent. from the 29th March 1816, when the bill was paid, to 30th April 1821 .. .. .	—	11,727	
Total .. .. .	—	—	50,141
On account of the "Victor," Rupees 54,500, at 2s. 3d. .. .. .	6,131		
Interest at 6 per cent. from 27th September 1815, when the bill was paid, to 30th April 1821 .. .. .	—	2,056	
Total .. .. .	—	—	8,187
On account of the "Sphinx," Rupees 34,591, at 2s. 3d. .. .. .	3,891		
Interest at 6 per cent. from 29th March 1816, when the bill was paid, to 30th April 1821 .. .. .	—	1,185	
Total .. .. .	—	—	5,076
On account of the "Zebra," Rupees 58,054, at 2s. 3d. .. .. .	6,531		
Interest at 6 per cent. from 16th October 1816, when the bill was paid, to 30th April 1821 .. .. .	—	1,780	
Total .. .. .	—	—	8,311
On account of the "Cameleon," Rupees 35,039, at 2s. 3d. .. .. .	3,942		
Interest at 6 per cent. from 15th February 1817, when the bill was paid, to 30th April 1821 .. .. .	—	994	
Total .. .. .	—	—	4,936
On account the "Trincomalee," Rupees 1,77,540, at 2s. 3d. .. .. .	19,973		
Interest at 6 per cent. from the payment of the bills to the 30th April 1821 .. .. .	—	2,563	
Total .. .. .	—	—	22,536
On account the "Malabar," Rupees 2,88,910, at 2s. 3d. .. .. .	32,502		
Interest at 6 per cent. from the payment of the bills to 30th April 1821 .. .. .	—	3,223	
Total .. .. .	—	—	35,725
	162,675	44,060	206,735
TOTAL Expense of Building Ships in India for His Majesty's Service, in excess of Repayments .. } £	220,671	156,340	377,011

(continued on next page.)

## Appendix 41—continued.

VI.  
CLAIMS.  
Company's  
Claims on  
Government.

	PRINCIPAL.	INTEREST.	TOTAL.
MISCELLANEOUS CHARGES, viz.	£.	£.	£.
Payments in England for Passage of Troops, Freight of Stores, &c.:			
Season 1795 .. .. .	12,809		
Interest at £4. 14s. 3d. per cent. from 1 May 1796 to 30 April 1821 .. .. .	—	15,090	
Total .. .. .	—	—	27,899
Season 1796 .. .. .	2,662		
Interest at £5. 19s. 9½d. per cent. from 1 May 1797 to 30 April 1821 .. .. .	—	3,829	
Total .. .. .	—	—	6,491
Season 1798 .. .. .	1,333		
Interest at £5. 6s. 2½d. per cent. from 1 May 1799 to 30 April 1821 .. .. .	—	1,558	
Total .. .. .	—	—	2,891
Season 1801 .. .. .	3,736		
Interest at £3. 18s. 1¾d. per cent. from 1 May 1802 to 30 April 1821 .. .. .	—	2,774	
Total .. .. .	—	—	6,510
Season 1807 .. .. .	2,362		
Interest at £4. 14s. 6½d. per cent. from 1 May 1808 to 30 April 1821 .. .. .	—	1,453	
Total .. .. .	—	—	3,815
Season 1808 .. .. .	5,079		
Interest at £4. 12s. 10d. per cent. from 1 May 1809 to 30 April 1821 .. .. .	—	2,827	
Total .. .. .	—	—	7,906
Season 1809 .. .. .	365		
Interest at £4. 4s. 2¾d. per cent. from 1 May 1810 to 30 April 1821 .. .. .	—	169	
Total .. .. .	—	—	534
Season 1810 .. .. .	5,156		
Interest at £4. 14s. 11d. per cent. from 1 May 1811 to 30 April 1821 .. .. .	—	2,448	
Total .. .. .	—	—	7,604
Season 1811 .. .. .	8,477		
Interest at £5. 5s. 7d. per cent. from 1 May 1812 to 30 April 1821 .. .. .	—	3,955	
Total .. .. .	—	—	12,432
Season 1812 .. .. .	2,401		
Interest at £5. 10s. 6d. per cent. from 1 May 1813 to 30 April 1821 .. .. .	—	1,058	
Total .. .. .	—	—	3,459
Season 1813 .. .. .	9,558		
Interest at £4. 19s. 1½d. per cent. from 1 May 1814 to 30 April 1821 .. .. .	—	3,317	
Total .. .. .	—	—	12,875
Season 1814 .. .. .	7,923		
Interest at £5. 12s. 4½d. per cent. from 1 May 1815 to 30 April 1821 .. .. .	—	2,671	
Total .. .. .	—	—	10,594

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Appendix, No. 41—*continued.*VI.  
CLAIMS.Company's  
Claims on the  
Government

		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
<i>Miscellaneous Charges—continued.</i>				
Season 1815 ..		9,818		
Interest at £4. 16s. 8d. per cent. from 1 May 1816 to 30 April 1821 ..		—	2,374	
	Total ..	—	—	12,192
Season 1816 ..		2,466		
Interest at £3. 18s. 1d. per cent. from 1 May 1817 to 30 April 1821 ..		—	385	
	Total ..	—	—	2,851
Season 1817 ..		6,801		
Interest at £4. 10s. 10½d. per cent. from 1 May 1818 to 30 April 1821 ..		—	911	
	Total ..	—	—	7,712
Year 1818-19 ..		2,284		
Interest at £4. 10s. 10½d. per cent. from 1 Nov. 1818 to 30 April 1821 ..		—	260	
	Total ..	—	—	2,544
Year 1819-20 ..		1,903		
Interest at £4. 5s. 9d. per cent. from 1 Nov. 1819 to 30 April 1821 ..		—	122	
	Total ..	—	—	2,025
Year 1820-21 ..		3,128		
Interest at £4. 5s. 3½d. per cent. from 1 Nov. 1820 to 30 April 1821 ..		—	67	
	Total ..	—	—	3,195
		88,261	45,268	133,529
Add,				
September 1803, Stores delivered from a Company's Ship to His Majesty's Ship Sceptre, at Rio Janeiro ..		82		
Interest at £5. 2s. 5d. per cent. from 1 October 1803 to 30 April 1821 ..		—	76	
	Total ..	—	—	158
1805-6:				
Stores delivered from Company's Ships to King's Ships at the Cape, St. Salvador, and Madeira ..		1,735		
Interest at £4. 19s. 7d. per cent. from 1 March 1806 to 30 April 1821 ..		—	1,313	
	Total ..	—	—	3,048
<b>TOTAL Payments for Passage of Troops ..</b>		<b>£ 90,078</b>	<b>46,657</b>	<b>136,735</b>



## VI.

## CLAIMS.

Company's  
Claims on  
Government.

## Appendix, No. 41—continued.

OVERCHARGE in VICTUALLING-OFFICE CLAIMS, as in the Account before the Committee of the House of Commons in 1828 :		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
Advance of 30 per cent. included in those claims to be relin- quished by order of the Lords of the Treasury .. .. .		12,270	6,233	18,503
Deduct :				
Charges omitted in former Account .. .. .		2,221	486	2,707
Also, charges since made for periods prior to March 1808 ..		1,293	381	1,674
Balance 1 March 1808 .. .. .		8,756	5,366	14,122
Interest at £4. 14s. 6d. per cent. from 1 March 1808 to 30 April 1821		—	5,449	—
Total .. .. .		—	—	5,449
TOTAL Overcharge in Victualling-Office Claims .. £		8,756	10,815	19,571
SUNDRY PAYMENTS in ENGLAND, viz. :				
In 1812 .. .. .		636		
Interest at £5. 5s. 7d. per cent. from 1 July 1812 to 30 April 1821		—	296	
Total .. .. .		—	—	932
In 1813 .. .. .		3,014		
Interest at £5. 10s. 6d. per cent. from 1 July 1813 to 30 April 1821		—	1,304	
Total .. .. .		—	—	4,318
In 1814 .. .. .		450		
Interest at £4. 19s. 1½d. per cent. from 1 July 1814 to 30 April 1821		—	152	
Total .. .. .		—	—	602
In 1815 .. .. .		2,323		
Interest at £5. 12s. 4½d. per cent. from 1 July 1815 to 30 April 1821		—	761	
Total .. .. .		—	—	3,084
In 1816 .. .. .		195		
Interest at £4. 16s. 8d. per cent. from 1 July 1816 to 30 April 1821		—	46	
Total .. .. .		—	—	241
In 1818 .. .. .		1,558		
Interest at £4. 4s. 10¾d. per cent. from 1 July 1818 to 30 April 1821		—	201	
Total .. .. .		—	—	1,759
In 1819 .. .. .		93		
Interest at £4. 5s. 9d. per cent. from 1 July 1819 to 30 April 1821		—	7	
Total .. .. .		—	—	100
In 1820 .. .. .		2,405		
Interest at £4. 5s. 3¾d. per cent. from 1 July 1820 to 30 April 1821		—	8 5	
Total .. .. .		—	—	2,490
TOTAL Sundry Payments in England .. £		10,674	2,852	13,526

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## Appendix, No. 41—continued.

VI.  
CLAIMS.Company's  
Claims on  
Government.

EXPENSES incurred by the CAPTURE of TRANQUEBAR in 1808 :					PRINCIPAL.	INTEREST.	TOTAL.
					£.	£.	£.
In 1809-10 .. .. .	Interest at 6·353 per cent. from 1 November 1809 to 30 April 1821 .. .. .	Total .. .. .			7,422	—	12,844
In 1810-11 .. .. .	Interest at 5·971 per cent. from 1 November 1810 to 30 April 1821 .. .. .	Total .. .. .			12,905	8,091	20,996
In 1811-12 .. .. .	Interest at 6·3 per cent. from 1 November 1811 to 30 April 1821 .. .. .	Total .. .. .			4,058	2,435	6,503
In 1812-13 .. .. .	Interest at 6·025 per cent. from 1 November 1812 to 30 April 1821 .. .. .	Total .. .. .			3,034	1,554	4,588
In 1813-14 .. .. .	Interest at 6 per cent. from 1 November 1813 to 30 April 1821 .. .. .	Total .. .. .			6,415	2,887	9,302
In 1814-15 .. .. .	Interest at 6 per cent. from 1 November 1814 to 30 April 1821 .. .. .	Total .. .. .			4,786	1,867	6,653
In 1815-16 .. .. .	Interest at 6 per cent. from 1 November 1815 to 30 April 1821 .. .. .	Total .. .. .			2,726	900	3,626
Deduct :					41,356	23,156	64,512
In 1808-9 Amount received in excess of Supplies .. .. .	Interest at 7·58 per cent. from 1 November 1808 to 30 April 1821 .. .. .	Total .. .. .			2,343	2,220	4,563
TOTAL Expenses on account of Tranquebar .. .. .					£ 39,013	20,936	59,949
TOTAL Amount of Miscellaneous Charges .. .. .					£ 148,521	81,260	229,781
TOTAL Amount of the Company's Claims .. .. .					£ 11,277,839	7,271,220	18,549,059

VI.  
CLAIMS.Appendix, No. 41—*continued*.Government  
Claims on the  
Company.

AN ABSTRACT STATEMENT of the CLAIMS of His Majesty's GOVERNMENT upon the EAST-INDIA COMPANY for Advances on account of SUPPLIES, and for Charges on account of King's Troops employed in India, &c. &c., with Interest calculated thereon to 30 April 1821.

	PRINCIPAL.	INTEREST.	TOTAL.
1810:	£.	£.	£.
Loan in Exchequer Bills .. .. .	1,500,000		
Interest on £1,000,000, at 3 per cent. per diem, from 1 July 1810, when the bills were received, to 30 April 1821 .. .. . £494,625			
Interest on £500,000, at ditto ditto from 12 Jan. 1811, when the bills were received, to 30 April 1821 .. .. . 235,063			
Total .. .. .	—	729,688	2,229,688
£	1,500,000	729,688	2,229,688
EXPENSE OF RECRUITS TRANSFERRED TO THE COMPANY:			
1799 .. .. .	6,550		
Interest at £5. 6s. 6½d. per cent. per annum from 1 July 1799 to 30 April 1821 .. .. .	—	7,592	14,142
Total .. .. .	—	—	—
1800 .. .. .	5,775		
Interest at £4. 14s. 2½d. per cent. from 1 July 1800 to 30 April 1821 .. .. .	—	5,667	11,442
Total .. .. .	—	—	—
1801 .. .. .	12,400		
Interest at £5. 5s. 5½d. per cent. from 1 July 1801 to 30 April 1821 .. .. .	—	12,967	25,367
Total .. .. .	—	—	—
1802 .. .. .	7,000		
Interest at £3. 18s. 1¾d. per cent. from 1 July 1802 to 30 April 1821 .. .. .	—	5,151	12,151
Total .. .. .	—	—	—
1803 .. .. .	9,857		
Interest at £5. 2s. 5d. per cent. from 1 July 1803 to 30 April 1821 .. .. .	—	9,003	18,860
Total .. .. .	—	—	—
1804 .. .. .	13,620		
Interest at £5. 9s. 2¼d. per cent. from 1 July 1804 to 30 April 1821 .. .. .	—	12,519	26,139
Total .. .. .	—	—	—
1805 .. .. .	25,764		
Interest at £5. 3s. 2¼d. per cent. from 1 July 1805 to 30 April 1821 .. .. .	—	21,045	46,809
Total .. .. .	—	—	—

(continued on next page.)

Appendix, No. 41—*continued.*VI.  
CLAIMS.Government  
Claims on the  
Company.

										PRINCIPAL.	INTEREST.	TOTAL.
Expense of Recruits, &c.— <i>continued.</i>										£.	£.	£.
1806	..	..	..	..	..	..	..	..	..	17,036		
Interest at £4. 19s. 7d. per cent. per annum, from 1 July 1806 to 30 April 1821 .. .. .										—	12,578	
Total .. .. .										—	—	29,614
1807	..	..	..	..	..	..	..	..	..	26,371		
Interest at £4. 14s. 7d. per cent. per annum, from 1 July 1807 to 30 April 1821 .. .. .										—	17,252	
Total .. .. .										—	—	43,623
1808	..	..	..	..	..	..	..	..	..	32,048		
Interest at £4. 14s. 6½d. per cent. from 1 July 1808 to 30 April 1821 .. .. .										—	19,437	
Total .. .. .										—	—	51,485
1809	..	..	..	..	..	..	..	..	..	19,323		
Interest at £4. 12s. 10d. per cent. from 1 July 1809 to 30 April 1821 .. .. .										—	10,614	
Total .. .. .										—	—	29,937
1810	..	..	..	..	..	..	..	..	..	26,829		
Interest at £4. 4s. 2¾d. per cent. per annum, from 1 July 1810 to 30 April 1821 .. .. .										—	12,238	
Total .. .. .										—	—	39,067
1811	..	..	..	..	..	..	..	..	..	39,119		
Interest at £4. 14s. 11d. per cent. from 1 July 1811 to 30 April 1821 .. .. .										—	18,258	
Total .. .. .										—	—	57,377
1812	..	..	..	..	..	..	..	..	..	56,649		
Interest at £5. 5s. 7d. per cent. from 1 July 1812 to 30 April 1821 .. .. .										—	26,418	
Total .. .. .										—	—	83,067
1813	..	..	..	..	..	..	..	..	..	48,444		
Interest at £5. 10s. 6d. per cent. from 1 July 1813 to 30 April 1821 .. .. .										—	20,969	
Total .. .. .										—	—	69,413
1814	..	..	..	..	..	..	..	..	..	15,509		
Interest at £4. 19s. 1½d. per cent. from 1 July 1814 to 30 April 1821 .. .. .										—	5,253	
Total .. .. .										—	—	20,762

(continued on next page.)

Appendix, No. 41—*continued.*

VI.  
CLAIMS.  
Government  
Claims on the  
Company.

		PRINCIPAL.	INTEREST.	TOTAL.
Expense of Recruits, &c.— <i>continued.</i>		£.	£.	£.
1815 ..	..	18,124	—	—
Interest at £5. 12s. 4½d. per cent. from 1 July 1815 to 30 April 1821 ..	..	—	5,940	—
Total ..	..	—	—	24,064
1816 ..	..	3,095	—	—
Interest at £4. 16s. 8d. per cent. from 1 July 1816 to 30 April 1821 ..	..	—	724	—
Total ..	..	—	—	3,819
Total Expense of Troops transferred to the Company ..	£	383,513	223,625	607,138
Amount received from Government, April 1813 ..	£2,000,000	—	—	—
Deduct, for Charge of Remittance to India, 7·058 per cent. ..	141,160	1,858,840	—	—
Interest at 6 per cent. from 1 May 1813 to 30 April 1821 ..	..	—	892,243	—
Total ..	..	—	—	2,751,083
	£	1,858,840	892,243	2,751,083
NET PROCEEDS OF THE CARGOES OF THE "WYNDHAM" AND "CEYLON," RECEIVED FROM THE MAURITIUS:				
February 1812 ..	..	11,646	—	—
Interest at £5. 5s. 7d. per cent. per annum, from 1 March 1812 to 30 April 1821 ..	..	—	5,637	—
Total ..	..	—	—	17,283
October 1812 ..	..	9,746	—	—
Interest at £5. 5s. 7d. per cent. from 1 Nov. 1812 to 30 April 1821 ..	..	—	4,373	—
Total ..	..	—	—	14,119
November 1812 ..	..	28,042	—	—
Interest at £5. 5s. 7d. per cent. from 1 Dec. 1812 to 30 April 1821 ..	..	—	12,458	—
Total ..	..	—	—	40,500
February 1813 ..	..	11,734	—	—
Interest at £5. 10s. 6d. per cent. from 1 March 1813 to 30 April 1821 ..	..	—	5,293	—
Total ..	..	—	—	17,027
May 1813 ..	..	24,403	—	—
Interest at £5. 10s. 6d. per cent. from 1 June 1813 to 30 April 1821 ..	..	—	10,672	—
Total ..	..	—	—	35,075

(continued on next page.)

## Appendix, No. 41—continued.

VI.  
CLAIMS.Government  
Claims on the  
Company.

Net proceeds of the Cargoes of the "Wyndham" and "Ceylon"— <i>continued.</i>	PRINCIPAL.	INTEREST.	TOTAL.
	£.	£.	£.
September 1813 .. .. .	17,652		
Interest at £5. 10s. 6d. per cent. per annum from 1 Oct. 1813 to 30 April 1821 .. .. .	—	7,395	
Total .. .. .	—	—	25,047
Total Net Proceeds of the Cargoes of the "Wyndham" and "Ceylon" .. .. .	103,223	45,828	149,051
Deduct, Expenses incurred in England .. .. .	3,783		
Interest to 30 April 1821 .. .. .	—	1,690	
Total .. .. .	—	—	5,473
Net Proceeds of the Cargoes of the "Wyndham" and "Ceylon" .. .. .	99,440	44,138	143,578
Bill drawn by agents for captors of Java on Bengal in favour of Government, and endorsed to the Company .. .. .	191,787		
Interest at 6 per cent. per annum, from 15 February 1817 to 30 April 1821 .. .. .	—	48,426	
Total .. .. .	—	—	240,213
Exchequer Bills received from Government in April 1816 .. .. . £ 387,145			
Deduct, for charge of remittance to India, at 7·058 per cent. .. .. . 27,325			
Interest at 6 per cent. per annum from 1 Sept. 1816 (when the bills were received) to 30 April 1821 .. .. .		100,750	
Total .. .. .		—	460,570
1816-17 Received by the Supra-Cargoes at Canton, from the Royal Spanish Philippine Company, Dollars 100,000, or Sa. Rs. 2,03,692 .. .. . £23,628			
Mint Produce of Bullion, per His Majesty's Ships Conway, Iphigenia, Towey, Magicienne, Bacchus and Challenger, Sa. Rs. 76,99,554, or .. .. . 893,148			
Interest at 6 per cent. per annum from 1 Nov. 1816 to 30 April 1821 .. .. .		247,531	
Total .. .. .		—	1,164,307

(continued on next page.)

## VI.

## CLAIMS.

Government  
Claims on the  
Company.Appendix, No. 41—*continued*.

BILLS RECEIVED FROM THE DUTCH GOVERNMENT ON ACCOUNT OF JAVA.										PRINCIPAL.	INTEREST.	TOTAL.	
										£.	£.	£.	
1817	..	..	..	..	..	..	..	..	..	25,000			
Interest at £3. 18s. 1d. per cent. per annum from 11 July 1817 to 30 April 1821 .. .. .										—	3,714		
Total .. .. .										—	—	28,714	
1818	..	..	..	..	..	..	..	..	..	51,541			
Interest at £4. 10s. 10½d. per cent. from 15 June 1818 to 30 April 1821 .. .. .										—	6,733		
Total .. .. .										—	—	58,274	
1818	..	..	..	..	..	..	..	..	..	35,050			
Interest at £4. 10s. 10½d. per cent. from 11 July 1818 to 30 April 1821 .. .. .										—	4,469		
Total .. .. .										—	—	39,519	
1818	..	..	..	..	..	..	..	..	..	86,592			
Interest at £4. 5s. 9d. per cent. from 4 January 1819 to 30 April 1821 .. .. .										—	8,620		
Total .. .. .										—	—	95,212	
1819	..	..	..	..	..	..	..	..	..	86,591			
Interest at £4. 5s. 9d. per cent. from 3 July 1819 to 30 April 1821 .. .. .										—	6,776		
Total .. .. .										—	—	93,367	
1819-20	..	..	..	..	..	..	..	..	..	20,652			
Interest from their several dates of receipt to the 30 April 1821 .. .. .										—	1,153		
Total .. .. .										—	—	21,805	
1820-21	..	..	..	..	..	..	..	..	..	42,086			
Interest at £4. 5s. 3½d. per cent. from 1 Nov. 1820 to 30 April 1821 .. .. .										—	898		
Total .. .. .										—	—	42,984	
Total Amount of Bills from the Dutch Government										£	347,512	32,363	379,875

(continued on next page.)

Appendix, No. 41—*continued*.VI.  
CLAIMS.Government  
Claims on the  
Company.

PAY-OFFICE CLAIMS:		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
1808 .. .. .		326,203		
Interest at £4. 14s. 6½d. per cent. per annum, from 1st July 1808 to 30th April 1821 .. .. .		—	197,845	
	Total .. .. .	—	—	524,048
1809 .. .. .		281,843		
Interest at £4. 12s. 10d. per cent. from 1st July 1809 to 30th April 1821 .. .. .		—	154,802	
	Total .. .. .	—	—	436,645
1810 .. .. .		306,217		
Interest at £4. 4s. 2¾d. per cent. from 1st July 1810 to 30th April 1821 .. .. .		—	141,717	
	Total .. .. .	—	—	447,934
1811 .. .. .		278,637		
Interest at £4. 14s. 11d. per cent. from 1st July 1811 to 30th April 1821 .. .. .		—	130,034	
	Total .. .. .	—	—	408,67
1812 .. .. .		292,069		
Interest at £5. 5s. 7d. per cent. from 1st July 1812 to 30th April 1821 .. .. .		—	136,198	
	Total .. .. .	—	—	428,267
1813 .. .. .		278,013		
Interest at £5. 10s. 6d. per cent. from 1st July 1813 to 30th April 1821 .. .. .		—	120,321	
	Total .. .. .	—	—	398,334
1814 .. .. .		233,781		
Interest at £4. 19s. 1½d. per cent. from 1st July 1814 to 30th April 1821 .. .. .		—	79,177	
	Total .. .. .	—	—	312,958
1815 .. .. .		312,166		
Interest at £5. 12s. 4¾d. per cent. from 1st July 1815 to 30th April 1821 .. .. .		—	102,334	
	Total .. .. .	—	—	414,500
1816 .. .. .		249,030		
Interest at £4. 16s. 8d. per cent. from 1st July 1816 to 30th April 1821 .. .. .		—	58,175	
	Total .. .. .	—	—	307,205



Appendix, No. 41—*continued.*

VI.  
CLAIMS.  
Government  
Claims on the  
Company.

		PRINCIPAL.	INTEREST.	TOTAL.
		£.	£.	£.
<i>Pay-Office Claims—continued.</i>				
1817 .. ..	Interest at £3. 18s. 1d. per cent. from 1st July 1817 to 30th April 1821 .. ..	262,585	—	—
	Total .. ..	—	39,299	301,884
1818 .. ..	Interest at £4. 10s. 10½d. per cent. from 1st July 1818 to 30th April 1821 .. ..	267,864	—	—
	Total .. ..	—	34,493	302,357
1819 .. ..	Interest at £4. 5s. 9d. per cent. from 1st July 1819 to 30th April 1821 .. ..	267,838	—	—
	Total .. ..	—	21,054	288,892
1820 .. ..	Interest at £4. 5s. 3¼d. per cent. from 1st July 1820 to 30th April 1821 .. ..	208,446	—	—
	Total .. ..	—	7,409	215,855
TOTAL of Pay-Office Claims .. ..		£ 3,564,692	1,222,858	4,787,550
<i>MISCELLANEOUS CLAIMS :</i>				
1807-8 :	Expense of conveying 47th Foot from the Cape to Madras, also on account of a detachment of the 72d ditto .. ..	19,750	—	—
	Interest at £4. 14s. 6¼d. per cent. from 1st February 1808 to 30th April 1821 .. ..	—	12,367	—
	Total .. ..	—	—	32,117
	Provision Stores supplied to King's Troops on their embarkation from the Cape for India, between September and November 1802 .. ..	7,512	—	—
	Interest at £5. 2s. 5d. per cent. from 1st January 1803 to 30th April 1821 .. ..	—	7,051	—
	Total .. ..	—	—	14,563
1807 :	Ordnance and Stores delivered at Colombo, and from King's Ships for the Company's Service .. ..	3,322	—	—
	Interest at £4. 14s. 7d. per cent. from 1st July 1807 to 30th April 1821 .. ..	—	2,173	—
	Total .. ..	—	—	5,495

(continued on next page.)

Appendix, No. 41—*continued.*VI.  
CLAIMS.Government  
Claims on the  
Company.

		PRINCIPAL.	INTEREST.	TOTAL.
Miscellaneous Claims— <i>continued.</i>				
1811:		£.	£.	£.
Ordnance and Stores supplied to the Company at Ceylon for Java Expedition .. .. .		4,800		
Interest at £5. 5s. 7d. per cent. from 1st July 1812 to 30th April 1821 .. .. .		—	2,238	
Total .. .. .		—	—	7,038
1815:				
Value of His Majesty's Naval Hospital at Madras, transferred to the Company .. .. .		8,000		
Interest at 6 per cent. from 1st Feb. 1816 to 30th April 1821 ..		—	2,520	
Total .. .. .		—	—	10,520
1817 and 1820:				
Payments by His Majesty's Government for Recruits, transferred to the Company .. .. .		7,692		
Interest at various rates to 30th April 1821 .. .. .		—	691	
Total .. .. .		—	—	8,383
1808 and 1820:				
Victualling-Office Claims for sundry Stores supplied to the Company .. .. .		9,970		
Interest at various rates to 30th April 1821 .. .. .		—	2,728	
Total .. .. .		—	—	12,698
1801 and 1818:				
Payments of Passages of Officers to join King's Regiments in India; also for accommodation of Company's Troops in King's Barracks; supplies of Stores, &c. .. .. .		8,514		
Interest at various rates to 30th April 1821 .. .. .		—	3,513	
Total .. .. .		—	—	12,027
TOTAL Miscellaneous Claims ..	£	69,560	33,281	102,841
TOTAL Amount of Claims of His Majesty's } Government .. .. . }	£	9,291,940	3,574,903	12,866,843

VI.  
CLAIMS.  
Government  
and the  
Company.

A STATEMENT of the CLAIMS of the EAST-INDIA COMPANY on His Majesty's GOVERNMENT ;  
both sides of the Account,

		PRINCIPAL.	INTEREST.	TOTAL.
CLAIMS OF THE EAST-INDIA COMPANY :		£.	£.	£.
BALANCE due on former Account, for Ceylon and the Eastern Islands; 1 March 1808 .. .. .		1,020,184	952,800	1,972,984
Further Interest, to 30 April 1821 .. .. .		—	1,208,918	1,208,918
				3,181,902
EASTERN ISLANDS ..	{ For the expenses on account of these Islands, in consequence of their capture in 1795-6, from 1806-7 to 1819-20 .. }	219,004	180,854	399,858
CEYLON .. ..	{ For supplies from India to this settlement, and expenses in England for tonnage, &c., after deducting the value of cinnamon received, 1807-8 to 1819-20 }	485,181	167,923	653,104
CAPE of GOOD HOPE	{ For supplies, &c., 1806 to 1808, and 1819-20 .. .. . }	91,054	101,114	192,168
STORES to H. M. SHIPS in India .. ..	{ Ditto, from 1806-7 to 1818-19 .. }	199,967	143,156	343,123
EXPEDITION to the French Islands ..	{ For supplies, expenses, bills drawn, &c. } 1809-10 to 1819-20 .. .. . }	3,432,826	1,808,094	5,240,920
EXPEDITION to Java ..	{ For ditto, 1810-11 to 1817-18 .. }	4,061,663	1,940,170	6,001,833
EXPEDITION to the Moluccas .. ..	{ For ditto, after crediting for spices received, for 1810 to 1821 .. .. }	91,921	205,038	296,959
DIPLOMATIC EXPENSES incurred in Persia ..	{ From 1811 to 1817 .. .. }	171,975	83,235	255,210
ADVANCES for the Naval Service of Government in India ..	{ Advances from 1811-12 to 1816-17 .. }	183,945	116,128	300,073
EXTRA EXPENSES at St. Helena .. ..	{ From October 1815 to 30 April 1821 .. }	950,927	126,190	1,077,117
EXPENSE of Building SHIPS of WAR in India for the Public	{ From 1806-7 to 1818 .. .. }	220,671	156,340	377,011
MISCELLANEOUS CHARGES, on sundry Accounts .. ..		148,521	81,260	229,781
TOTAL AMOUNT OF COMPANY'S CLAIMS .. ..		£ 11,277,839	7,271,220	18,549,059

*Note.*—The foregoing Account includes all the Claims of the Company upon the Public, as well for in England; no part of which were included in Statement No. 2 of the Revenues and Charges of India settled upon the terms stated in the Treasury Minutes of 28th May and 7th June 1822, which were

East-India House,  
18 October 1831.

(Errors excepted.)





**VII.**  
**POPULATION,**  
*&c.*

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## Appendix, No. 42.

Bengal  
Territory and  
Population.

A RETURN of the POPULATION of the BRITISH TERRITORIES in India, under the different Heads of Presidencies, Provinces, and Districts; and specifying the Area in British Miles of each Presidency, Province, and District respectively, for any Two Years for which a Census or Estimate may have been taken, in so far as the same can be made out.

The Records of the India Governments, at the East-India House, do not contain Materials for a literal compliance with the Order. The following Statements have been compiled from such Documents as have been received from India.

## STATEMENT OF THE EXTENT AND POPULATION OF BRITISH INDIA.

## BENGAL PRESIDENCY:—LOWER PROVINCES.

DIVISION and DISTRICT.	Extent of each District in English Square Miles.	Population in 1811.	Population in 1822.	DIVISION and DISTRICT.	Extent of each District in English Square Miles.	Population in 1814.	Population in 1822.	
CALCUTTA:				MOORSLEDABAD:				
Burdwan ..	2,000	There are not any documents at the East-India House from which the Population of these Provinces, in the year 1814, or in any year prior to 1822, can be stated.	1,187,580	Bhaugulpore ..	7,270	There are not any documents at the East-India House from which the Population of these Provinces, in the year 1814, or in any year prior to 1822, can be stated.	797,790	
Jungle Mehals ..	6,990		1,304,740	Purnea. . .	7,460		1,362,165	
Midnapore ..	8,260		1,914,060	Dinagepore ..	5,920		2,341,420	
Cuttack ..	9,040		1,984,620	Rungpore ..	7,856		1,340,350	
Jessore ..	5,180		1,183,590	Rajeshahye ..	3,950		4,087,155	
Nuddea ..	3,105		1,187,160	Beerbhoom ..	3,870		1,267,065	
Hooghly ..	2,260		1,239,150	Moorshedabad..	1,870		762,690	
Twenty-four Per- gunnahs ..	3,610		599,595	DACCA:				
Suburbs of Cal- cutta ..	1,105		360,360	Dacca ..	1,870		512,385	
Calcutta City ..	7		265,000	Dacca Jelalpoore	2,585		588,375	
PATNA:				Tipperah ..	6,830	1,372,260		
Ramghur ..	22,430	There are not any documents at the East-India House from which the Population of these Provinces, in the year 1814, or in any year prior to 1822, can be stated.	2,252,985	Chittagong ..	2,980	700,800		
Behar ..	5,235		1,340,610	Backergunge ..	2,780	686,640		
Tirhoot ..	7,732		1,697,700	Sylhet ..	3,532	1,083,720		
Sarun ..	5,760		1,464,075	Mymensing ..	6,998	1,454,670		
Shahabad ..	4,650		908,850	TOTAL		153,802	37,503,265	
Patna ..	667		255,705					

*Remarks.*—The statement of the Population of these Provinces is given on the authority of a Memorandum appended to the Police Report of Mr. Henry Shakespeare, Superintendent of Police in the Lower Provinces, in the year 1822; on which the Bengal Government, in their letter to the Court of Directors, dated the 3d of November 1826, observed, "Its accuracy cannot be confidently relied on, but the calculations are probably not far wide of the truth." The extent of these Districts in square miles has been ascertained by measurement on a manuscript map of India.

(continued on next page.)

Appendix, No. 42—continued.

BENGAL PRESIDENCY, UPPER OR WESTERN PROVINCES.

VII.  
POPULATION,  
&c.

Bengal  
Territory and  
Population.

DIVISION and DISTRICT.	Extent of each District in English Square Miles.	Population in 1814.	Population in 1826.	REMARKS.
BENARES:		There are not any Documents at the East-India House from which the Population of these Provinces in 1814 can be stated.	32,206,806	The Total Amount of the Population of these Provinces is given on the authority of a statement made by Mr. Wal- ter Ewer, the Superintendant of Police in the Western Pro- vinces, in his Police Report for the year 1826, paragraph 166. Mr. Ewer offers this statement as a rough calculation founded on an actual enumeration of the villages in these Provinces, and a partial enumeration of the houses. The extent in square miles has, as in the pre- ceding instance, been ascer- tained by measurement.
Allahabad .. ..	2,650			
Futtehpore .. ..	1,780			
Bundlecund, N. and S.	4,680			
Benares .. ..	350			
Ghazeepore .. ..	2,850			
Goruckpore .. ..	9,520			
Juanpore .. ..	1,820			
Azimghur .. ..	2,240			
Mirzapore .. ..	3,650			
BAREILLY:				
Agra .. ..	3,500			
Allyghur .. ..	3,400			
Furruckabad .. ..	1,850			
Bareilly .. ..	6,900			
Shahjehanpore .. ..	1,420			
Seharunpore .. ..	3,800			
Meerut .. ..	2,250			
Cawnpore .. ..	2,650			
Etawah .. ..	3,450			
Moradabad .. ..	5,800			
Bolundshuhur .. ..	1,950			
	66,510	TOTAL	32,206,806	

EXTENT of TERRITORIES immediately under the BENGAL GOVERNMENT, of the  
Population of which there are no Returns.

	Square Miles.
Ceded Districts on the Nerbudda .. ..	29,800
Districts ceded by the Rajah of Berar in 1826 .. ..	55,900
<b>TOTAL SQUARE MILES</b> .. ..	<b>85,700</b>



VII.  
POPULATION,  
&c.

Appendix, No. 42.—*continued.*

Madras  
Territory and  
Population.

FORT ST. GEORGE PRESIDENCY.

DISTRICT.	Extent of each District in English Square Miles.	Population in 1814.	Population in 1823.	REMARKS.
Ganjam .. ..	6,400	There are not any Documents at the East-India House from which the Population of these Districts, in the year 1814, can be stated.	332,015	The Statement of the Population of these Provinces is given on the authority of the official Reports of a Census taken by the Collectors of the several Districts, and by the Superintendent of Police at the Presidency for the town of Madras, in obedience to a Circular Order, dated the 28th of January 1822, on which documents the Board of Revenue observed as follows: "In the present Census the Population of some of the districts (as Salem) have not been correctly ascertained; though the estimate of the aggregate Population of the Madras Territories is probably near the truth." Their extent in square miles has, as in the preceding instances, been ascertained by measurement.
Vizagapatam, including Chicacole .. }	15,300		772,570	
Rajahmundry .. ..	6,050		738,308	
Masulipatam .. ..	5,000		529,849	
Guntoor .. ..	4,960		454,754	
Vellore .. ..	7,930		439,467	
Bellary .. ..	12,980		927,857	
Cuddapah .. ..	12,970		1,094,460	
Chingleput .. ..	3,020		363,129	
Arcot, Northern Division .. .. }	13,620		892,292	
Arcot, Southern Division .. .. }			455,020	
Salem .. ..	8,200		1,075,985	
Tanjore .. ..	4,000		901,353	
Trichinopoly .. ..	3,000		481,292	
Madura .. ..	10,700		601,293	
Shevagunga, including Dindigul and Ramnad .. .. }			186,903	
Tinnevelly .. ..	5,700		564,957	
Coimbatore .. ..	8,280		638,199	
Canara .. ..	7,720		657,594	
Malabar .. ..	6,060		907,575	
Seringapatam, Fort and Island .. .. }	3½		31,612	
Madras, Town and District .. .. }	30		462,051	
	141,923½	TOTAL.	13,508,535	

## Appendix, No. 42—continued.

## BOMBAY PRESIDENCY.

VII.  
POPULATION,  
&c.Bombay  
Territory and  
Population.

DISTRICT.	Extent of each District in English Square Miles.	Population in 1814-15.	Population 1820 to 1828.	REMARKS.
BOMBAY Island; including Colaba and Old Woman's Island	18½	There is not any document at the East-India House from which the Population of Bombay, in the year 1814, can be stated.	162,570	The population of Bombay is here stated on the authority of a Census taken by order of the Government, and certified by Major Dickinson the Inspecting Engineer, and W. A. Tate, Esq. the Revenue Surveyor, A.D. 1826. The extent of the Island has been ascertained by measurement on Captain Tate's Map.
SURAT; comprehending the City and Suburbs; the Town of Randier and the twelve Pergunnahs, which constitute the Collectorate ..	1,350		454,431	The Population of Surat is here stated on the authority of a Census taken by order of the Government, between the month of November 1815 and April 1816, and certified by John Romer, Esq., the Magistrate of Surat; and of a Report delivered in to the Bombay Government by Captain J. Cruickshank, Revenue Surveyor of the Province of Guzerat, under date the 31st December 1828. The extent of the Collectorate has been ascertained by measurement.
BROACH Collectorate ..	1,600	There are not any documents at the East-India House from which the Population of these Collectorates, in the year 1814, can be stated.	229,527	The Population of these Collectorates is stated on the authority of the Census taken by Captain J. Cruickshank, as above-mentioned. Their extent has been ascertained by measurement.
AHMEDABAD Collectorate ..	4,600		528,073	
HAIRA Collectorate ..	1,850		484,735	
SOUTHERN CONCAN Collectorate ..	6,770		640,857	The Population of the Southern Concan is stated on the authority of a Census taken by J. H. Pelly, Esq., the Collector, in December 1820. The extent has been ascertained by measurement.
POONA Collectorate	20,870		484,717	The Population of these Collectorates is stated on the authority of Mr. Commissioner Chaplin's Report, and of the Reports of the Collectors, which were sent to the Government in 1821. Ahmednuggur, Kandeish and Dharwar, are stated on the authority of Censuses, on which Mr. Chaplin observes. They will, I think, be found very near the truth; but more complete returns are expected. The extent of the Districts has been ascertained by measurement.
AHMEDNUGGUR Collectorate ..			650,000	
KANDEISH Collectorate	12,430		417,976	
DHARWAR Collectorate ..	9,950		684,193	
The SOUTHERN JAGERS ..			778,183	
SATTARA ..			736,284	
59,438½	TOTAL		6,251,546	

EXTENT of TERRITORY subject to the Government of Bombay, of which no Returns of the Population can be traced.

Northern Concan,\* 5,500 Square Miles.

\* In a Report on Education, entered on the proceedings of the 31st December 1829, the Population of the Northern Concan is stated at 387,204; but the same Report gives the Population of Surat at 254,682, being nearly 200,000 less than the number returned by Captain Cruickshank in his Revenue Survey.

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## VII.

### POPULATION, &c.

Princc of Wales'  
Island, &c.,  
Territory and  
Population.

### Appendix, No. 42—continued.

PRESIDENCY of PRINCE OF WALES' ISLAND, SINGAPORE, and MALACCA ; including the Island of Penang, the Island of Singapore ; together with the town of Malacca, and the Territory on the Malayan Peninsula, which has been Ceded to the East-India Company.

DISTRICT.	Extent in English Square Miles.	Population in 1811.	Population in 1828.	REMARKS.
PRINCE OF WALES' Island ; including Prince of Wales Island, Pulo Seraja, Pulo Reman, and Province Wellesley, on the Malayan Coast .. .. }	180	There is not any document at the East-India House from which the Population of these places, in the year 1814, can be stated.	57,414	{ The Population of Prince of Wales' Island is stated on the authority of a Census taken in December 1827, by R. Caunter, Esq., Superintendent of Police. The extent of the Island and District has been ascertained by measurement.
SINGAPORE Island ..	337		15,834	{ The Population of Singapore is stated on the authority of a Census taken in 1827, by T. G. Bonham, Esq., Superintendent of Police. The extent of the Island has been ascertained by measurement.
MALACCA, Town and District .. .. }	800		33,806	{ The Population of Malacca is stated on the authority of a Report of the Assistant Resident in 1817, and of a Census published in the Supplement to the Prince of Wales' Island Government Gazette of the 8th November 1828. The extent of the District has been ascertained by measurement on a Map.
	1,317	TOTAL	107,054	

East-India House,  
14th September 1831.

THOS. FISHER,  
Searcher of the Records.

Appendix, No. 42—continued.

ABSTRACT STATEMENT of the EXTENT and POPULATION of British India, and of the Extent of the Allied or Protected States, so far as the same has been ascertained.

VII.  
POPULATION,  
&c.

British India  
Territory and  
Population.

	Extent in Square Miles.	Population.
<b>BENGAL PRESIDENCY:</b>		
Districts of the Population of which statements have been received:		
Lower Provinces .. .. .	153,802	37,503,265
Upper or Western Provinces .. .. .	66,510	32,206,806
<b>FORT ST. GEORGE PRESIDENCY .. .. .</b>	<b>141,023½</b>	<b>13,508,535</b>
<b>BOMBAY PRESIDENCY:</b>		
Districts of the Population of which returns have been received .. .. . }	59,438½	6,251,546
<b>PRINCE OF WALES' ISLAND, SINGAPORE, AND MALACCA ..</b>	<b>1,317</b>	<b>107,054</b>
<b>TOTAL .. ..</b>	<b>422,990½</b>	<b>89,577,206</b>
<b>TERRITORIES of the Population of which no accounts can be traced:</b>		
Under Bengal .. .. .	85,700	No census.
Under Bombay .. .. .	5,500	No census.
<b>TOTAL BRITISH TERRITORY .. ..</b>	<b>514,190½</b>	<b>—</b>
<b>Add, Allied or Protected States (as detailed in page 334) ..</b>	<b>614,610</b>	<b>No census.</b>
<b>GRAND TOTAL: Extent in Square Miles of British Territory in India, and Territories protected by Great Britain .. .. . }</b>	<b>1,128,800½</b>	<b>—</b>

East-India House,  
Sept. 14, 1831.

THOS. FISHER,  
Searcher of the Records.

## VII.

POPULATION,  
&c.—  
Allied Territory.

## Appendix, No. 42—continued.

The following STATEMENT exhibits the computed Extent, in Square Miles, of those Territories on the Continent of India, which have been, by various Treaties, placed under the Protection of, or brought into Alliance with, the East-India Company, so far as can be ascertained.

	Square Miles.
(a) Dominions of the Rajahs of Travancore and Cochin .. .. .	9,400
(b) .. .. . Nizam .. .. .	108,800
(c) .. .. . Rajah of Mysore .. .. .	29,750
(d) .. .. . King of Oude .. .. .	25,300
(e) .. .. . Dowlut Rao Scindiah .. .. .	42,400
(f) .. .. . The Rajah of Berar, including Nagpore .. .. .	64,270
(g) .. .. . Jeswunt Row Holkar .. .. .	17,600
(h) .. .. . The Guicowar, including the detached Pergunnahs } belonging to the British in Kattywar and Guzerat }	36,900
(i) .. .. . Rajah of Koorg .. .. .	2,230
(k) .. .. . Nabob of Kurnool .. .. .	3,500
(l) .. .. . Rajah of Sikhim .. .. .	4,400
(m) .. .. . Nabob of Bhopal .. .. .	7,360
(n) .. .. . Rajahs of Sattara, Colapore, Sewuntwarree, and the } principal British Jaghiredars .. .. . }	21,600
(o) .. .. . Rajah of Cutch .. .. .	6,100
(p) .. .. . Soubedar of Jhansi, Rajah of Duttea and others, com- } monly known as the Bundelcund Chiefs .. .. . }	19,000
(q) Territories under British protection west of the river Jumna, compre- } hending Jhodpore, Bikanier, Jessulmeer, Khotah, the Seikh Country, } the Hill districts of Sirmoor, and other small States .. .. . }	165,000
(r) Of Assam Jynteca, Cachar, and Muneepore, the boundaries are so un- } defined that it is difficult to form even an approximation to their super- } ficial contents, but it is estimated at .. .. . }	51,000
TOTAL .. .. .	614,610

- (a) By Treaties with those Chiefs, concluded in 1788, 1791, 1797, 1805, and 1809.  
 (b) By Treaties with the Nizam in 1798, 1800, 1804, and 1822.  
 (c) By Treaties concluded with the Rajah in 1799, 1803, and 1807.  
 (d) By Treaties with the Nawab Vizier Saadut Ali, concluded in 1801 and 1802, and with his successors in 1816 and 1825.  
 (e) By Treaties concluded with him in 1803, 1804, 1805.  
 (f) By Treaties with the Rajah Sind Sahib, Soubah Ragojee Bhoonlah, in 1803, and with the Rajah of Nagpore in 1816 and 1826.  
 (g) By Treaty concluded with him in 1805.  
 (h) By Treaties concluded with him in 1802, 1803, 1805, and 1818.

- (i) By Treaties concluded with him in 1790, 1793, and 1799.  
 (k) In pursuance of the promise made to him by Lord Minto, in a letter dated 15th Feb. 1817.  
 (l) By a Treaty concluded with the Rajah in 1817, and a Sunnud then granted to him.  
 (m) By Treaty concluded with him in 1818.  
 (n) By Treaties concluded with the respective Chiefs in 1819, 1820, and 1825.  
 (o) By a Treaty concluded with Mahamjah Mirza Rao Dessuljee in 1819.  
 (p) By Treaties concluded with them in 1817 and 1818.  
 (q) By Treaties concluded with the respective Chiefs of those States in 1817, 1818, and 1819.  
 (r) By Treaties concluded in 1793 and 1824.

East-India House,  
Sept. 14, 1831.

THOMAS FISHER,  
Searcher of the Records.

## Appendix, No. 43.

A RETURN of the POPULATION of the principal CITIES and TOWNS within the BRITISH POSSESSIONS in India, for any Two Years for which a Census or Estimate may have been taken, in so far as the same can be complied with.

THE Return, so far as the Records of the India Governments at the East-India House furnish the Materials, will be found in the Return to an Order of the Honourable Committee, requiring "A Return of the Population of the British Territories in India," &c.

East-India House,  
1st Nov. 1831.

THOS. FISHER,  
Searcher of the Records.



**VIII.**  
**EUROPEAN RESIDENTS.**

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## Appendix, No. 44.

A RETURN of the Number of EUROPEANS in British India, not in the Service of His Majesty, or of the East-India Company; distinguishing those residing within the Presidencies of Bengal, Madras, Bombay, and each of the British Settlements within the Straits of Malacca, respectively, on the 1st of May 1814, and on the 1st of May 1830, as far as can be made up.

THERE are no official Returns at the East-India House from which an exact Statement can be prepared of the Number of Europeans resident at the several Presidencies of India on the days stated. The following Statement, which has been compiled from the best Authorities which could be referred to, chiefly from Almanacks published in India, will afford some information respecting the comparative numbers of the Europeans resident at the several Presidencies in India at or about the periods referred to.

	1815:	1828:
Bengal .. .. .	1,100	1,595
Fort St. George .. .. .	115	116
Bombay .. .. .	240	286
Prince of Wales' Island .. .. .	46	} 19
Singapore .. .. .	—	
Malacca .. .. .	—	

East-India House,  
1 Nov. 1831.

THOS. FISHER,  
Searcher of the Records.

**IX.**  
**PUBLIC WORKS.**

## Appendix, No. 45.

AN ABSTRACT STATEMENT of all important Public Works which have been constructed in India, or are at present in progress, such as Canals or Roads, since the last renewal of the East-India Company's Charter.

## BENGAL.

1812 :

THE construction of a road from Calcutta to Juggurnauth, upwards of 300 miles in length, with branches to the principal towns near which it passes : still in progress.

1813 :

The excavation of a canal, connecting the Ganges and Bugruttee rivers : completed.

Operations for the improvement of the navigation of the Nuddea rivers, by dredging, removal of rocks, &c. : still continued in every dry season.

1814 :

The erection of two bridges on the estates of Rajah Ram Dyal Sing.

The excavation of a tank and erection of a bridge in Meerut.

Repair of the Ahmednuggur aqueduct.

Cutting the western end of the nullah to the bridge at Gobra near Moorshedabad ; completing the eastern cut, and filling up the road across the old nullah.

Construction of a building for Divine worship at Meerut.

Construction of a pukka road, ten arched drains across certain roads, and a pukka ghaut to a tank in the Cooley Bazar.

The military road from Calcutta to Benares restored to its original width, repaired, and several small bridges erected ; the road also continued to Range Ghaut.

Construction of a pukka road from Allahabad to Burdwan.

Raising and repairing a road from Puttah Ghaut, which joins the military road near Hurripaul.

1815 :

Laying down mooring-chains, and construction of a depôt for marine stores at Saugor.

Completion of the town hall.

Erection of a mausoleum at Ghazeepore, to the memory of Marquis Cornwallis.

Erection of lighthouses at Saugor Island, Point Palmyras, and certain floating lights there ; likewise of one at the island of Moyapoor. (In 1821 the construction of the lighthouse at Saugor was abandoned, and one on Edmonstone's Island authorized in its stead ; which was also afterwards abandoned, and a second lighthouse on Moyapoor constructed.)

Building a bridge over the nullah at Meerut.

Cutting a road twelve feet wide for beasts of burthen from Bumouree to Almorah, and building bridges.

1816 :

The clearing of the island of Saugor, authorised.

Rebuilding the houses of the botanical garden.

Establishment of a native hospital at Patna.

Erection of a lighthouse at Kedgerec.

Repairs and alterations to the government houses at Calcutta, and in the park at Barrackpore, and erecting guard-rooms and stabling for the body guard: completed in 1827.

1817 :

Repair of an ancient aqueduct in the Deyra Doon.

Restoration of the Delhi canal: completed.

Restoration of a canal in Goruckpore.

Construction of a new road at Moochucollah.

Erection of telegraphs between Calcutta and Nagpore.

Construction of a road from Tondah to Bumouree.

Completion of the new road from Patna to Gyah.

The road from Puttah Ghaut to the military road near Hurripaul widened.

1818 :

Eight bridges built for the entrances on the land side of the city of Delhi.

The road repaired between Mahratta bridge, Calcutta, and a bridge connecting the main road with the gate of the hospital at Dum Dum.

Construction of a well in the centre of the proposed Gunge at Bumouree and Tonda (this work was in 1820 abandoned, in consequence of the unhealthiness of the situation); road leading from Calcutta to Dum Dum repaired.

Construction of a road from Puttah Ghaut to Hurripaul.

The road between Patna and Shehargotty raised, and drains and watercourses added for the purpose of promoting cultivation.

1819 :

Construction of a chapel at Benares.

Extension as far as Ruderpore of the road constructed from Bumouree to Tondah in Kumaon, for the purpose of opening a communication between the Plains and Almorah.

Repairing the bridge over the Ramgunga, and constructing a new bridge over the Soorjoo rivers in Kumaon.

1820 :

Erection of an exchange by the merchants of Calcutta on a site of ground granted by government.

Formation of a botanical garden at Saharunpore.

Construction of part of a road from the Barrackpore cantonments to a spot opposite the village of Buddee Pantee, where limekilns have been constructed.

Construction of sangha bridges over the Bulleah and Soowal rivers in Kumaon.

Sinking two pucka wells at Deyrah in the Dhoon.

1821 :

Measures for building a Scotch church (St. Andrew's), and a grant of government in aid of its erection, which was completed in 1824.

Erection

IX.  
PUBLIC WORKS.  
Bengal.

Erection of two chapels at Benares and Dacca; also,

Completion of a new chapel at Futtighur.

Construction of a church at Fort William, and of a new chapel at Calcutta.

Measures adopted for improving the routes of communication between the principal positions of the army, by opening and repairing roads at and between the following stations, so as to make them available during the dry season for any description of transport carriage; *viz.*

From Agra to Mhow *viâ* Lakherce and Mokundiah.

From Mhow to Delhi, by Neemutch and Nusseerabad.

From Asseerghur to Hussingabad, thence to Mhow *viâ* Mundlasir, and to Nagpore *viâ* Berhampore and Ellichpoor.

From Cawnpore to Saugor through Bundlecund, and thence to Nagpore by two routes, *viz.* by Jubblepore and by Hussingabad.

From Calcutta to Nagpore, through the Singboom country.

1822 :

Excavation of a canal to unite the Hooghly with the Ganges, through the Salt-water Lake. (This Work was proposed in this year, and the line surveyed, but the operations were only commenced in 1829.)

Additional moorings laid down at Kedgerce.

Measures for the survey and improvement of the port of Cuttack.

Arrangement respecting the moorings laid down off the esplanade for government vessels, sanctioned.

Formation of a teak and sissoo plantations at Bauleah, Sylhet and the Jungle Mehals.

Construction of a line of telegraphs from Fort William to Chunar.

Construction of a road from Chilkea to Howel Baugh in Kumaon for mules and tatoos for commercial purposes, and more particularly for facilitating the commerce between Tartary and the Plains.

Three new sangha bridges built, and a fourth reconstructed, over the rivers in the Kumaon district.

Increased means employed for making a part of the new road from Calcutta to Nagpore *viâ* Sumbulpore.

Construction to Puttah of the new road from Barrackpore to Buddy Pantee.

1823 :

Construction of a hospital for the pilgrims resorting to Juggernaut.

Excavation of a canal to unite the Damra and Churramunnee rivers: still in progress.

Re-opening of Feroze Shah's canal in Delhi: completed

Restoration of Zabita Khan's canal in the Upper Doab.

The course of Ali Murdher's canal drawn into Delhi.

Works on the Seetabuldee hills.

Construction of buildings on the eastern bank of the Hooghly, and of pukka pillars as beacons to be made subservient to telegraphic communication.

Execution of certain works at Diamond Harbour; moorings at the new anchorage; bridle chains and spiral buoys for the anchorage westward of the Kanacka river.

Erection of a new mint at Calcutta: now in progress.

1824 :

**1824 :**

Wooden bridge built across the river Pabur at Raen ; military road between Nagpore and Ryepore.

Erection of a chapel at Dum Dum, and another at Meerut.

Construction of two churches at Cawnpore.

Erection of a church at Dacca.

Erection of an additional church at Calcutta.

Erection of a church at Burdwan.

The Cutcha sides of the road from Dum Dum to Shaum Bazar bridge, raised and turfed; revetments of timber and planking as an embankment to the Ganges at Dinapore, to preserve public buildings.

Construction of two new tanks at Nusseerabad.

Construction of a new road from Mirzapore to Saugor, Jubbulpore, Nagpore, and Omrawatty to Bhopalpoore, Mhow, &c.

**1825 :**

Establishment of a botanical garden at Singapore; erection of bungalows and serais for travellers in the military road from Calcutta to Benares.

Replacing certain bunds destroyed by the torrents from the Damooda river, and repairing the damage done to the military roads between Hurripaul and the eastern bank of the river.

A road constructed from Cuttack to Padamoondy or Aliva ; particularly desirable for the transit of military stores at all seasons.

Two pukka bridges over two nullahs on the road to Jaugemow at Cawnpore.

**1826 :**

Erection of a new Madrissa, or Mahomedan college, in Calcutta.

Erection of a new Sanscrit college in Calcutta.

Construction of a new dawk road between the presidency and the new anchorage.

Construction of rope suspension bridges, known afterwards as "Shakesperian Bridges," was first introduced.

Additions, alterations and repairs to the Lower Orphan School at Allipore.

Construction of two bridges over the Singhea Khal, and Sodepore Khal nullahs, on the new Benares road.

**1827 :**

Improvements of the dawk road, through Shakespeare's Pass to Channel Creek, and the construction of a Shakesperian bridge over the Kowar Torrent on the Benares road.

A new building for the Madrissa or Mahomedan college.

Erection of the Hindoo college : completed.

Four Shakesperian bridges thrown over the Ramgunga, Kummee, and Ramghur rivers.

**1828 :**

Operations for the removal of the rocks which obstruct the navigation of the Jumna : still in progress.

Erection

## IX.

## PUBLIC WORKS.

## Bengal.

Erection of staging bungalows on the road from Shergotty to Gya, and thence to Patna.

Erection of an asylum at Benares for the destitute and blind, by Rajah Kula Shemker Ghosaul, the expenses of which in part are to be defrayed by government.

Construction of three beacons towards the eastern end of the Straits of Malacca.

Construction of a bridge and boundary pillars at Agra.

Nine iron chain bridges thrown over the rivers in the province of Kumaoon.

## 1829 :

The formation of roads in the districts of Jounsaï and Bhowar.

Construction of a road from Balasore to the sea-beach.

## 1830 :

Formation of a new road from Cuttack to Ganjam *via* Khoordah, intended as a high road of communication between Bengal and Fort St. George : in progress.

Construction of the Jynta road.

A road to be constructed *via* Hooghly and Burdwan to Bancoorah : now in progress.

Staging bungalows and serais at Gopeegunge, Allahabad, Shajadpore, Futteepore, Cawnpore, Koostan and Gya : now in progress.

Telegraphic towers on the semaphore principle at Kedgerie lighthouse, Coverdale's Tree, Mud Point, Moyapoor, Fort William, and at Middle and Diamond Points : now in progress.

Two pukka wells constructed at Meerut, one for the use of the natives, and for watering the roads of cantonments ; and the other for the use of the public libraries.

Construction of a small bridge of masonry over a branch of the Nucteah nullah, near Bareilly ; also bunds for securing the east bank of the same nullah.

## 1831 :

The " Strand Road " at Calcutta, towards the completion of which, Court's contribution has been requested.

## MADRAS.

## 1815 :

## Madras.

The clearing of the drain passing through the esplanade, and the new street on the beach, were completed.

St. George's church on the Choultry Plain, also finished.

Construction of a bridge over the Mambaroota river, between Cannanore and Cootaparamba ; necessary to keep open the communication throughout the year, between the new road from the Western Ghauts and Cannanore.

## 1816 :

Improvements of the internal communication in Canara.

Construction of a bridge over the Paramboor nullah, and of a new road between the Black Town and the north-west approaches to Madras.

## 1817 :

Formation of wells in the vicinity of Madras.

A chapel built at Arcot capable of containing 300 persons ; and one at Poonamalee of the same size.

## 1818 :

1818 :

Construction of a stone bridge across the Madras river at the village of Chindrapet-  
tah, and sundry improvements connected therewith.

Erection of a new observatory.

St. Mary's church at Fort St. George reformed and repaired.

1819 :

Formation of a road in the Neilgherry Hills.

Repairs to the bridges across the Canvery, at Seringapatam.

1820 :

Rebuilding of the lighthouse at the Presidency, completed.

1821 ;

Building a church for the Missionary Society.

Erection of a chapel at St. Thomas's Mount, and of a church at Vipery.

Erection of a stone bulwark at Fort St. George, to protect the fort and the Black  
Town from the inroads of the sea.

1822 :

Erection of bridges at the island of Samoodra, in Coimbatore.

The course of the river Vellaur straightened, with the view of securing a village.

Reconstruction of the bridge near St. Mary's burial ground, and of the one by the  
hospital gate of the Black Town.

Construction of a bridge over the swamp at Masulipatam ; one half at the  
expense of government, the other at that of the inhabitants.

Scotch church (St. Andrew's) finished.

Completion of the stone bulwark, and addition of an iron railing.

1823 :

A new cut for the Votary nullah ; also a new bridge, and other works connected  
therewith.

New laminating rooms for the mint.

1824 :

The opening of a canal at Chumnapore.

Several wells sunk in the northern division of Arcot for the purposes of irrigation.

Erection of a church at Tellicherry.

Excavating and removing the shoals in the Coorm river, from the burying-ground  
bridge to the Chepauk Bar ; and thence to the N. W. angle of the burying-ground wall  
at Fort St. George ; also securing the bank opposite the central course of Clive's  
Canal near the burying-ground bridge, with a bulwark of stones.

Great road from Secunderabad to Masulipatam. (This work was continued until  
the year 1831, when, in consequence of its expense, the government limited themselves  
to the repair of such part of the road as might be impassable for wheel carriages.)

Great road from Madras through the Northern Circars, to the Bengal frontier. (In  
1828 this work was discontinued, owing to the natural and local obstacles of its dura-  
tion ; that portion only of the road between Bezwarah and Ellore was to be completed.)

2 Y

1825 :



## 346 FIRST APPENDIX TO THE THIRD REPORT OF THE

### IX. PUBLIC WORKS.

#### Madras.

#### 1825 :

Construction of a tunnel from the N. E. angle of Fort St. George to the sea, for the purpose of carrying off the filth from the Black Town.

#### 1826 :

A bridge built across the Bonally nullah, the boundary of the British and Mysore territories, on the high road from Cannanore to Mysore and Madras.

Continuation of the excavation of the Coorm river, from the old Female Asylum to Anderson's Bridge.

A drain of two arches constructed on the west esplanade of Black Town near the Basin Bridge.

A bridge built over the Coorm river, and three roads leading to the bridge raised and new laid.

The road across the swamp from the fort to the pettah at Masulipatam, repaired.

#### 1827 :

Erection of a monument, of a choultry and tank, at Goote, and the sinking of wells at Putteekondah, in honour of Sir T. Munro's memory : in progress.

Construction of a bridge across a nullah between Alliporam and Ganjam, in the main road through the Northern Circars.

Erection of a stone bridge over the Jacklee nullah, to secure a permanent communication between Kamptee and Nagpore.

#### 1828 :

Formation of a new road from the Wallajah bridge, to the bar on the south side of the beach at Madras, annexing safety railings and poles, and fortifying the bank of the river.

The mission church in the Black Town enlarged and improved.

The lighthouse in Fort St. George repaired.

Repairs made to Anderson's Bridge.

Construction of a causeway over the ditch at the drawbridge of the Mysore gateway, and one over that at the Bangalore gateway of the fort of Seringapatam.

Formation of a road from Madras to Bangalore. (This work has been completed to Poonamallee, but beyond that place the work has been restricted to the object of making it passable for carts and ordnance carriages.)

#### 1829 :

Military road through Coorg.

Construction of a cutwal's choultry at Jaulnah.

Erection of a bridge over the Wootary nullah, at Fort St. George.

The bar of the Coorm river partially opened at Chepauk, with a view of obtaining a supply of water from the sea by filtration.

Erection of a wall and cast-iron railing round the church at St. Thomas's Mount.

#### 1830 :

The construction of an anicut across the Kendalseroo river in Nellore.

The

The reform of a portion of the grand anicut in the bank of the Caverry at Trichinopoly.

Madras.

The repair of the Bistee Ghaut in Canara.

BOMBAY.

1814 :

The formation of a new road from Bancoote to Mundgaum.

Bombay.

Repair of the old docks; the completion of the slope in the dockyard for raising timber; the rebuilding the slip in the dockyard; the removal of the dam; and the forming an ordance wharf.

Erection of a church at Surat: finished in 1823.

1815 :

Formation of a road from Bendorah to Gorabunder.

1816 :

Erection of a Scotch church: completed in 1818.

Construction of a chapel at Colabba authorized; is now in progress on a new and more simple plan than was at first designed.

1817 :

Excavation of a tank at Bohur.

A chapel proposed to be substituted for an unoccupied barrack at Tannah, as a place of worship: completed by Government in 1826.

A new mint recommended by Government: finished in 1830.

1820 :

The Commattee aqueduct for supplying the lower part of the Black Town with fresh water, and the Byculla tank, undertaken; finished in 1824.

Captain Hawkins's plan for draining the flats of Bombay by the Woorlee channel, adopted.

A church erected in the Northern Concan.

1821 :

Rupees 20,000 expended by a native on a quarry near Byculla, to increase the supply of water; also a building for the accommodation of travellers; and a large tank at Bandreah in the island of Salsette: undertaken and sanctioned by order of Government.

A chapel at Poonah authorized: finished in 1823.

1822 :

A new wharf constructed at the port of Bombay.

1824 :

Construction of a town hall undertaken: not yet completed.

1825 :

Military road from the South Mahratta country to the coast.

IX.  
PUBLIC WORKS.  
Bombay.

A church erected at Dapoorlee; also churches in the east zillah north of the Myhee, and at Baroda, and a Roman Catholic chapel at Colabba.

Road from Nassick to Bhewndy : in progress.

1826 :

Improvement of Sion causeway.

A chain suspension bridge over the Moolla river applied for by Government; a wooden bridge at less cost substituted in 1830.

Construction of a new observatory sanctioned : finished in 1830.

Construction of a church at Mhow authorized.

1827 :

Improvement of the Bhore Ghaut proposed; Captain Hughes's plan for constructing a road up it to Poona accepted : the work in progress.

A church built at Kirkhee.

Road from Malligaum to Surat, finished.

1828 :

Construction of bungalows at Malabar Point, and formation of a botanical garden at Dapooree, undertaken : not yet completed.

1831 :

Sanction and subscription of Government for a church to be erected at Byculla by the inhabitants of Bombay.

## S U R V E Y S.

## TRIANGULATION.

Surveys.

SINCE the year 1814 the Meridional Arc has been extended from Daumergidda to Seronj by Colonel Lambton and Captain Everest, being in distance north and south six degrees of latitude.

A tract of country has also been triangulated in the Nizam's dominions, of the extent of about 80,000 square miles, by Colonel Lambton and Captain Everest.

A chain of triangles has been carried from Seronj to within 50 miles of Calcutta, a distance of about 12° of longitude, for the purpose of connecting that place with the Meridional Arc ; the position of all the principal towns in the line of route has also been determined.

TRIGONOMETRICAL SURVEYS which are connected by Triangulation with the Meridional Arc :

Madras Presidency :

	Square Miles.
Travancore and Cochin .....	10,000
South Coimbatore .....	4,000
Dindigul .....	1,800
Trichinopoly .....	3,000
Koorg .....	2,200

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 349

IX.  
PUBLIC WORKS.  
Surveys.

## Madras Presidency:—*continued*.

	Square Miles.
Soonda and Balgy .....	2,400
Guntoor .....	5,000
Masulipatam .....	5,000
Rajahmundry and Elloor .....	7,000
Vizagapatam .....	6,000
Part of the Nizam's dominions .....	13,000

## Bombay Presidency :

The Deccan Survey as far as it is finished comprehends	} 50,000
Dharwar; the Rajah of Sattara's dominions; the Rajah of Kolapore's dominions, &c.; the Northern and Southern Concan; part of Poonah, Bombay, &c. ....	

## Bengal Presidency :

Bhopal .....	7,000
Bundelcund .....	16,000
The country between Bundelcund and Palamow .....	9,000
Benares .....	3,000
The Dooab .....	2,500
Burdwan .....	4,000

## TRIGONOMETRICAL SURVEYS; but which are not connected with the Meridional Arc :

	Square Miles.
Mountainous Districts .....	16,000
Ajmere .....	4,000
Hurriana .....	3,500
Part of the Sunderbunds .....	800
Assam .....	15,000
Sylhet .....	4,000
Munnipoor .....	5,000
Chittagong .....	4,000
Cuttack .....	6,000
Part of Kattywar and Gujerat .....	9,000
Bhoj .....	4,000
Kandeish .....	7,000

East-India House,  
November 1831.

J. MILL,  
Examiner of India Correspondence.



**X.**

**C O A L   M I N E S.**

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X.

COAL MINES.

Damooden River.

Burdwan.

## Appendix, No. 46.

## SELECTIONS from Copies of Communications respecting the COAL MINES of India, received at the India-House from the different Presidencies.

COPY of a Letter from Mr. W. Jones to G. Dowdeswell, Esq. Chief Secretary to the Government of Bengal.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, and to acquaint you that I am making the necessary arrangements to comply with the instructions contained therein. In five or six days I shall be able to proceed on the service, and shall from time to time lay before you the result of my labours.

I have, &amp;c.

Calcutta, 21st April 1812.

(Signed)

W. JONES

COPY of a Letter from the same to the same.

SIR:

IN compliance with the orders of the Right Honourable the Governor General in Council, dated the 16th April last, I examined the state of the river Damooden above 200 miles up, from its mouth near Futtah, with a view of ascertaining its navigation to and from the place where the pit-coal is to be found. Out of the influence of the tides it is uniformly wide, shallow, and in a great measure totally dry, of course only navigable when it rains; there are no boats to be seen, nor are there any used by the natives out of the vicinity of Burdwan; boats are brought up a considerable way during the height of the rains, but they can only make two trips in a year from the coal country to Calcutta. Where the river passes through the hilly country two or three hours rain fills it, and it runs dry in a short time again; it is only when the rains are pretty regular that boats can pass with any degree of safety. When the people of a boat find the river falling, they haul her up as high as possible, and wait the next rise, which often comes in from two to four feet high, and overwhelms every thing in its way; the reason the people leave their boats is to be out of the way of the torrent, for if the boat was left in the stream aground, she would sink in the sand, it being composed of light laminas of murix or talek, with other loose matter, which the stream could very soon wash away and lower the boat so that she would not rise till the next influx of the water; I point out this circumstance to show the danger that would attend strangers in charge of boats on this river.

Notwithstanding these difficulties, the people about Burdwan go up in the rains, and very seldom lose a boat. Goods of every description are carried by bullocks; the western traders meet those from the west at certain marts, and barter lac, iron, wax, skins, and other jungle produce, for salt, grain, turmeric, and spices.

Little

Little is done by water carriage, indeed it would not be practicable at all, much further than the Iwa, as the people there told me that the bed of the river higher up was full of stones, and about seventy miles to the west there was a cataract.

The influence of the tide reaches only to Omphtha; in the springs of June it rose ten inches there, flowed half an hour, and ebbed again; the river was once navigable a little further, but a large embankment being for some years broken at a place called Mundul Ghaut, the waters are allowed to wander over immense plains, and the bed is a good deal filled up about Bowannypoor, as the river branches off in different directions and unites again near Omphtha; but this is of little consequence to the people at Mundul Ghaut, who do not wish this embankment to be mended, nor did I find a person within forty miles of the place differ in opinion, they all wished Mundul Ghaut bund to remain broken, and said if it was repaired the Damooden would rise six feet in the rains higher than it does, and the inundation would be too soon; from Bhowannypoor to Burdwan, where the population is great and cultivation general, the little water in the river is wholly used for irrigation, so as to leave it in most parts perfectly dry, but above Burdwan there is a small supply that would, by the use of a little art, make a nullah that runs under Burdwan bridges and into the Hooghly, navigable; this could be done at a trifling expense, and would produce a handsome revenue, but how it would affect the landowners below, who use this water for irrigation, should be considered.

I saw nothing to indicate the existence of coal in the district of Burdwan, the article sold as Burdwan coal takes its name from being furnished by Burdwan people.

The place where I found the coal you will trace on the 7th section of Reynel's chart beyond Ruggoonauthpoor, it is called by the natives Jurwah, but on the chart Jirwaghur. The face of this country is hilly, presenting a heterogeneous matter, composed of whinstone, joad-stone, sand-stone, slate-spar, agate, crystallization and poor ore of iron.

Natives who had been there informed me that the whole surface of the hills was coal, quite bare; this appeared to me astonishing, and where I saw the rocks at a distance it appeared coal, being perfectly black; but upon examination I found it toad-stone, dyed by the galla acid of the jungle saul plants, carried by the winds and rain upon the stones, and which, in contact with the fine ferruginous dust, carried also by the winds, dyed all the stones equally black, be their quality what it would.

The coal strata is moderately deep, and only brought to light by the powerful effects of hill torrents rolling through ravines, where the foot of two or three hills collapse; the earth, which is composed of ferruginous clay and large pebble mixture (calcareous and pilecirous), first gives way, next the flaky sand-stone is laid bare, and being acted on by the air the whole of the dry season, the cement between its laminas is weakened; it goes in this way year after year, till the coal and the slate that covers it is acted on and laid bare.

This slaty coal that is laid bare is what the people sell for Burdwan coal, and never think of taking any but such as they find loose.

The hills may be from three to six miles broad at their base; I have tried them on different sides opposite to each other and found coal; there is little doubt but the strata goes under the hills quite through, and mines could be worked much easier than in any other place I ever saw; small pits might be opened and abandoned every wet season, as a shaft would not cost more than sixteen rupees to sink at the foot of the hill, and water is not to be dreaded, as all that would appear could be raised by an apparatus that would not cost more than five rupees; the men in these small temporary pits need not lose sight of day, and would soon get confidence to work a gallery through the hill, if necessary. I saw no spring in any part of the country; I suppose it is owing to the great evaporation that must take place. In some places where sand-stone was not to be found, the hollow places had slender pillars of stone standing, irregular in height and



## X.

## COAL MINES.

## Damooden River.

## Burdwan.

distance, but as plumb as if put in by a mason; the stones in many parts stand all upright.

Where the coal is now to be found is about twelve miles from the river; the people propose to carry it to the river's side by bullocks, for one and a half anna per maund.

Now, with all these advantages, I am however of opinion that government ought not to attempt an establishment in this quarter; for they would require five hundred boats to bring the quantity annually required, each boat to carry three hundred maunds. These boats would be laid up nine months in the year; if laid up dry they would go to pieces, and if wet there would be a chance of the worms eating them; there would be great difficulty in manning them, seven-eighths of the people would be ignorant of the use of a boat, and many boats would be lost. I would mention many more objections, but I trust it is unnecessary; yet I would not advise to abandon the object altogether, but to hold out encouragement to individuals, without its incurring much expense to government. I would submit that two sober good men, privates of an European regiment, be sent there and instructed how to take up good coal, and have it brought to the river side, and sold there to whoever would send for it. I would recommend a few boats to be hired every year to bring down some for the use of government; but by no means to render it of importance, or the hire of boats would be raised to individuals much above the usual rate. I mention European soldiers, as their establishment would be attended with little expense; and I think it prudent to have two, as one alone, in the event of sickness, may perish for want of assistance; besides, one person in such a lonely situation may very soon lose his health, by the mind falling into a state of despondency. Natives can never be trusted, they would take the crop coal and say no better could be got, merely to save a few cowries in labour.

An agreement can be made with the Jerwah Rajah, that coal is not to be raised but at the licensed pit, or the importation can be prohibited from any other place. This will prevent the article from getting into disrepute, as none will come to the market but good.

I imagine government to have no idea of profit, but public utility only to be the object in view, by furnishing Calcutta with a sufficient quantity of pit coal good and cheap, this I am convinced can only be done by opening mines to the eastward, where every prospect of success appears, the navigation always open, and the people well acquainted with the nature and management of boats. If government is pleased to order me in the eastern district, I shall proceed there when the heaviest part of the rainy season has passed, and use every means in my power to accomplish the object in view. The three remaining months, if government think proper, I could be employed much to its advantage in repairing and improving the gunpowder works at Puttah, having been instructed in that business by Major Finlay, in the King's Mills at Feversham.

The coal No. 1, was taken at Jerwah, immediately below the slate. No. 2, three feet lower, the strata is very thick; I bored six feet lower, but it still continued, and no doubt the quality of the coal improves the lower it goes. No. 3, is coal brought from England, on the Portsea, not very much superior to that near the surface at Jerwah. No. 4, is pipe coal found near Bancoorah, that may be of great use in making bricks for lining furnaces or claying sugars.

I did not think it necessary to go to Beerbhoom, as by every information the rivers are worse than the Damooden; besides the season was so far advanced, it was impracticable except on the dawk roads, and that would be useless.

I have, &c.

Calcutta, 20 June 1814.

(Signed)

WILLIAM JONES.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 335

COPY of a Letter from the same to H. St. G. Tucker, Esq., Chief Secretary to the Government of Bengal.

SIR:

FOR the information of government, I have the honour to acquaint you that I have, with considerable labour and care, examined the hills and mountains (with the ground in their vicinity) on the banks of the Ganges as far as the borders of Behar and Ghidore in search of coal, and am sorry to say without success.

I am now on my way to Sylhet, where I hope to be more fortunate. I prefer trying Sylhet first, as I strongly suspect the navigation of the Burhumpootur high up will be found bad, and the hills deeply buried in alluvial earth, which is the case with all those I saw near the Ganges; under such circumstances mining in the valley would be attended with great difficulty and expense, owing to the quantity of water that would percolate through such earth; and the chance of finding a vein of coal in a mountain is not great.

When I return I shall report regularly on what has fallen under my observations, and furnish specimens (if required) of the different materials the hills produce.

It is probable that the collector of the Twenty-four Pergunnahs will, at the end of last year, discontinue my stipend, as I imagine he had no instructions to pay it after; and as my visiting the north-east hills was a new order, may I beg of you to furnish him with instructions to continue paying it until my return, which will be as soon as the service I am employed on will possibly admit.

I have, &c.

Dacca, 6 January 1815.

(Signed)

WM. JONES.

X.  
COAL MINES.

Banks of the  
Ganges to Behar  
and Ghidore.

COPY of a Letter from the same to William Butterworth Bayley, Esq., Chief Secretary to the Government of Bengal.

SIR:

IN obedience to the order of government, communicated to me in June last, I proceeded up the Damooda, taking with me a few boats of different descriptions, with a view of ascertaining to what extent that river is navigable.

River Damooda.

I found that during the periodical rains, which commence in the middle of June and end about the latter end of September, boats of 300 maunds (and not more) may be brought up as high as Chinacoory Ghaut, which is a place of some trade near Junal, four miles below the confluence of the Damooda and Burucur rivers, and from thence to Orntha make four or five trips annually without danger or difficulty; from Oomptha to Calcutta the river is always open. From Chinnacoory Ghaut upwards, the navigation becomes progressively bad, and is totally obstructed at a place called Bandy coul, situated seven miles above the Beorucur. The river is here completely studded with close-grained granite, quarry and sparry stones. Finding Bandy coul fourteen or fifteen miles from Jeriah, and no passage for boats further, I was convinced that part of my letter to government in April last was fallacious, as boats cannot be brought from Jerovah with advantage. It is difficult to enter the mouth of the Buracoor, and it is only navigable for five miles upwards. The attendants on coal appear in some places on its bank, but from the difficulty of entering the river I did not think it prudent to make any search there, knowing the whole country from Junal to within five miles of Serampore affords coal which may be carried to Calcutta without difficulty. I spent several days searching in that quarter, opened the coal in many places, and found it of the exact quality that is now required in Calcutta, but so intermixed with slate that no common labour could separate them.

## X.

## COAL MINES.

## River Damooda.

This is almost always the case so near the surface ; but other strata may be expected lower down free from this imperfection, and from my experiments I have no reason to doubt it.

The upper strata are as follows :

Common clay ... ..	6 feet.
Rotten sand-stone ... ..	1
Slate, with three or four inch bands of sand-stone at every foot, and in two places impressions of plants ... ..	7
Coal and slate in lamina ... ..	9
Black slaty stone ... ..	2
Bad coal not cut through ... ..	3
	<hr/> 28 feet. <hr/>

To ascertain the expense of sinking a regular shaft, I commenced one within 500 yards of the river in a gretstone rock, lower than the above strata, and found appearances very favourable. The shaft was seven feet six inches diameter, and it cost me two rupees eight annas for every foot in depth ; but the weather being extremely bad, and the instruments all worn out, I was obliged to abandon the work. If it is agreeable to government, I wish to bring the business to a conclusion in that quarter by sinking two shafts, one at Chinnacoory Ghaut, and the other near Mudyea, and also to keep a few people searching in that neighbourhood, having instruments and tools all ready. Five hundred rupees will be necessary to provide labour for the completion of the work, and I have reason to think the whole will be finished in three months. In my opinion there will be no occasion for an establishment of boats at present, as I observe the natives construct and manage their boats well, and in all probability would increase the number, if employment offered.

I have, &c.

Calcutta, 12 September 1815.

(Signed)

W. JONES.

COPY of a Letter from the same to Thomas Fortescue, Esq., Secretary to the Government of Bengal, in the Territorial Department.

SIR :

FOR the information of his Excellency the Right Hon. the Governor General in Council, I have the honour to inform you how I have been employed since the 27.<sup>th</sup> September last, when I was instructed to open a coal mine either at Chinnacoory Ghaut, or Mudgeah, on the Damooda, and to report to government without delay the result of my labours. Upon receiving these orders I lost no time in preparing and forwarding to the neighbourhood of the above places the necessary stores and implements for the completion of the work ; I examined the ground about Chinnacoory Ghaut, and made a number of excavations, but found the coal crop out in a vast number of places so near each other, and the dip so contradictory, that I was apprehensive the bed would be found small and fowl, as the strata appears dislocated and wavy. I have been particularly cautious in my operations, it being the first attempt at regular mining in this country, and one partial failure might throw the business back for years.

When examining the country round Mudgeah, I found it possessed advantages over every other place I yet saw, but I was not certain of getting coal, although the clay slate that covers coal appeared in many places ; but it sometimes covers granite also, and I found stratified granite about thirty miles from the place, dipping the same way as the clay slate, which made me fear it might extend to Mudgeah, and lie a great depth there,

in

in which case I would not get coal; however I chose a spot for the shaft three miles from Mudgeah, and one hundred and thirty from Calcutta, one thousand and fifty yards up a nullah named Nooneahjoar. The river is at this place six hundred and twenty-five yards wide, and the Mooneah thirty-three yards at their confluence; the water in both is the same depth. Where I opened the shaft there are three natural hollows, which can be turned into wet docks by a very trifling expense, and any number of boats can lie in these docks in perfect safety, take in their cargoes from the mouth of the pit, and proceed to the destined dépôt at Omptoa in two days; the river is free from rocks or any impediment all the way down.

After sinking a few yards at this place, I was certain of meeting with coal, and turned my whole attention to this spot; at the depth of thirty-nine feet I met the first bed of coal, surmounted by different strata of hard rock (which I shall particularly describe in my General Report). This bed is the thickest I ever saw, being twenty feet, it dips to the N.W. only half an inch to the foot, which is favourable, and the water is easily governed, the crevices called backs and cutters being very close, it issues but slowly from the coal only; the floor of this coal bed is only a band of coal metal or stone of a bluish grey colour, six inches thick, which forms the roof of another seam of pure coal nine inches thick, separated from a bed of fine coal two feet ten inches, by only a two-inch band of sand-stone slate. I had the coal of all three beds tried by four principal builders, and annexed I have the honour to send their report. No. 1 in the experiment is from the twenty feet bed, No. 2 from the nine inch, and No. 3 from the two feet ten inch bed. It will appear by the report that Nos. 2 and 3 are objectionable, because the ashes are unusually white, but I am of opinion it is the cleanest coal I ever saw, and must be of great value for culinary and other purposes, as well as for smiths' use; neither the smoke or ashes is offensive, and I am certain that the coal of this mine when taken up clean will answer every purpose, and is superior to most English coal. Had I determined on working the seams already discovered, I might furnish a considerable quantity of coal this present season, but I continue sinking deeper in search of the low main bed, which I think I shall reach in about fifteen days more, and in the event of its being found, of which I have no doubt, it may be worked with more than double the advantage, as I can shut off all the upper water feeders, and open the lower workings in the greatest state of perfection.

The shaft is nine feet diameter, and now between eighty and ninety feet deep. It may appear that I have been tedious in my operations; but when it is taken into consideration that I am obliged to keep a well-informed European assistant, that my average of workmen to form a double gang is ninety-eight men daily, besides sircar and other attendants; that I have to furnish a great quantity of ropes, blocks, pulleys, buckets and other expensive tackle that is constantly wearing out, and in the present stage of the business I have to cross the country by a dawk to make and forward those articles occasionally from Calcutta, and that I have but six hundred rupees per month to do all this with, it will be readily conceived that I must be desirous of bringing the business to a crisis. The whole and sometimes more than my stipend being absorbed by charges.

Having been under the necessity of building six large huts, and occupying ground and rock together to the amount of 99 beegahs, I was in justice bound to take a pottah from the proprietors of the land, which is in Shearghur pergunnah, zillah Jungle Mehall, and zemindary of the Ranee of Burdwan; I also take a grant of all the coal in the Shearghur from the Rajah of Burdwan. I am not certain that he holds the right to give such a grant; however, those papers being in my own name, I shall deliver them over to government whenever they may be called for.

And I hope I may not be thought presumptuous in taking them without orders, as I have merely done it to prevent trouble hereafter.

I have, &c.,

Calcutta, 22 May, 1816.

(Signed)

WM. JONES.

X.  
COAL MINES.

Sylhet.

COPY of a Letter from the same to W. B. Bayley, Esq., Acting Secretary to the Government of Bengal.

SIR :

For the information of the Honourable the Vice President in Council, I have the honour to lay before you a brief statement of what has occurred in my search for pit coal during the last six months, confining myself to such points as may be useful to the manufacturer and artist; but if required, I can furnish specimens of various substances (with their exact localities) which might be interesting to the geologist.

The Rajemahaul hills are not stratified, but appear to be primitive mountains, composed of black whin-stone in large masses, their ascent is difficult; but table land and good spring water is afforded on their summits. The inhabitants are of an industrious and inoffensive disposition. The hills at the foot of the mountains produce flint, nodular, iron ore, beautiful agates of various descriptions, quartz, crystallizations, and hard boulder-stones fit for paving.

A person by digging in the low hills near Oudmallah may be convinced that stones grow out of common earth and sand; he would there find them in every stage of formation. The agent which hardens them appears to be ferruginous water, which gathers and concretes the earth in laminas to a form like an egg, the ferruginous matter is at first of a blackish purple colour, soft, soapy, and appears distinct about a line thick between every lamina of clay, which is about three lines or more in thickness; in this state it may be broken with the fingers, but as the stone advances in growth the cementing matter disappears and mixes with the mass, which becomes a close-grained bluish boulder-stone, not easily to be broken by a heavy hammer. I dwell upon this circumstance from a conviction, that soft stone or argillaceous clay may be hardened by iron liquor slowly dropping upon it, until it becomes durable, and may be of great use in the arts.

These hills produce wax, honey, and stick-lac, but in small quantities; a few elephants, but not enough to make it worth while to catch them. No large or valuable timber; but charcoal may be procured at the river side at twenty-five rupees per hundred maunds.

About Siccary Gully, and Pointy, very large iron mines have been worked in former times; the ore is modular, and would perhaps, by carefully rejecting the deads or unproductive stones, yield from twenty to twenty-five per cent. iron.

In this neighbourhood every chink and fissure within the rocks and earth is filled with a semicalcareous substance called konkur, of which the natives and others make an impure chunam. It appears to be formed by water carrying in solution with it calcareous, ferruginous and silicious matter, which concretes, in every space where it rests; in the concrete mass the component parts seem separate, like granite. This substance shows that there is either a great quantity of limestone in the neighbourhood, or formerly has been there, and is now decomposed and carried off; however, I could find no proper limestone near that place.

In the environs of Pottergotty great variety of iron ore is to be found, and of a richer quality than that found at Siccary Gully, and large mines of it are now open, some of them with an area of sixty feet between the pillars. This place also affords potter's clay and other refractory clays, which would answer extremely well for the purpose of lining furnaces; and I am of opinion it would be a proper place for erecting a foundry for shot and shells, or other cast-iron work, but would by no means admit of working iron into bars, as the expense of procuring a power of any kind requisite to drive a mill, would absorb the profit. The hills are composed of massy sand-stone granite; iron ore, potter's clay, and veins of quartz and talc are to be found imbedded in granite.

Bedair Hill, near Colgong, is composed of enormous masses of granite and whin,  
with

with a great variety of iron ore. The bed of the river about this place is on loose and open rock; I imagine an attempt to sink a mine here would be attended with great expense and trouble, as it would require a considerable power to clear it of water.

Within forty or fifty miles of Baglipore, in the Cuttackpore district or zillah, a rich vein of the lead ore named galina is to be found; it produces sixty per cent. of lead, and perhaps silver worth extracting. The mountain is disputed property between Rajah Roopnarain Dea, and Rajah Cawder Ally. As Dr. Buchanan had visited the place, and brought away samples of this ore, I judged it improper to lose time in visiting it, and therefore sent for samples of the ore, which is the best I ever saw.

The rocks about Monghyr are quartz, except a few which are composed of a slaty stone of a bluish colour, resembling in its texture mangoe wood, which is in a state of decomposition to a considerable depth, and is intersected throughout with quartz veins, which always break into small rhomboidal cubes, and another substance appearing as if vitrified, resembling a cinder. The earth of the villages is coarse and red to the depth of from forty to fifty feet, resting in some places on quartz, and in others on shist, the shist inclining 45° dipping to the east; water issues plentifully through, the stone being full of rifts, and no doubt opening into the Ganges.

On the road towards Currackpore, between Monghyr and a hot well called Rissyeoon, now in the jungles, there is to be found large masses of muddy white quartz, beautifully clouded with brownish red. The stone is very hard and durable, but difficult to work.

The Currackpore hills are mostly composed of quartz, from which issue many hot springs, which constantly retain their heat in all seasons of the year. The water also is very pure. In the centre of this cluster of hills, at a place called Bheembond, there is a large hot spring, and a lime stone rock. The spring issues from quartz; the lime stone is of a pink colour, and some of it white; the fracture like gypsum, the lime made from it is very white, as the stone is pretty free from iron.

The road into Beembond is either from Mallypore or Milkce, about twelve or fourteen miles from either place. Saul timbers are procurable at Beembond, of a small and inferior kind; they are procured from a few inhabitants who dwell in a valley at that place. The hills are uninhabited, the valleys fertile, but population yet thin.

The jungles are mostly brier, and the tree from which the cutch or *terra Japonica* is produced; if the former was infected with the lac insect, the produce would be great. I did not see a single insect of that description in any of the trees. The natives make small quantities of cutch, and dispose of it at the rate of two rupees per maund, very pure. Also at the above place a black wood, resembling ebony, is procurable; it is called cane, and might be made an article of commerce.

The quartz at Milkce is of so pure a nature, that it might profitably be manufactured into glass. The hills in Ghidore, near Mallypore, produce good lime stone, but the nullahs not being navigable, it would not pay the expense of conveyance.

At a place called Gurriacole, a day's journey from Monghyr, is found a kind of slaty basalt, much used for many purposes; it dips to the west three inches to the foot, which is contrary to all the surrounding rocks; and ten feet below the base of the rock, it may be had sound, and in large slabs, but in the air it will decompose in the course of a few years. On the summit of the same hill a black durable stone is got, which will not decompose, but is very hard to work; and near it is a rock of grey millstone grit, much used for hand millstones.

At Mossumgunge the fine black basalt is got; this stone is very much in use, but it is both difficult and expensive to bring the stones out of any of the hills, the roads being bad and dangerous; there is also a white stratified substance, with small reddish streaks at  
from

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from one to three inches distance; it is softer and feels more greasy than pipe clay; it appears to be decomposed stone, and is very like white lead, or the Spanish earth used in England for the purpose of adulterating white lead. I have not as yet had time for the perfect examination of it, but have samples of it by me.

Sylhet, with the exception of a few clay hills near the station, is invariably low, and where it is not cultivated covered with grass and reed jungles. The earth, which is considerably impregnated with iron, generally rests on a prostrate wood jungle, from six to thirty-three feet below the surface; this strata of decomposed wood or grass is now mostly formed into turf or peat of a tolerable good quality, where it is laid bare by the rivers cutting into it, and appears in strata from sixteen inches to four feet thick, and in some places in double strata, separated by six feet of ferruginous argil and sand, but may be found much thicker near large jeels, where the incumbent earth is thin.

When the population increases, and the cultivation becomes more general, fuel will then be scarce, and this turf will then become a valuable article to the inhabitants of Sylhet, although at present they have no idea that it is combustible. In the vicinity of a village called Thalighur, near Dawl, a good strata of turf may be found.

Two of the rivers, the Surmah and Bowlee, are navigable for large boats within two or three miles of the frontier mountains, and are under the influence of the tides nearly as far; my boats swung to the ebb and flood during the springs of January.

A good distance above Azeemrigunge, the Surmah is navigable for large boats of 1,000 maunds as far as Cuttack, during the whole year, and for small ones from thence through Cachar, and three days' journey into Munnypore. The Bowlee river is navigable for large boats all the year as far as Seeripore or Churipore, and from thence to the Patle it is nearly dry, except in the rainy months, which commence in April. Near Laur, there are two rivers communicating with the hill rivers and Bowlee, one called Jaddoowtah, the other Doombah, both partly filled with sand and pebbles, but very wide.

Although lime-burning is the principal business carried on in the Sylhet district, there is neither lime stone or fuel to be had there, but is all imported during the rains from the mountains belonging to the neighbouring independent rajahs; the stone and most of the wood from the Casseah mountains near Laour and Pundeea, and some wood from Jonteah and Cachur; and the whole of the timber for building boats from the latter place, with the exception of a small quantity from the southern hills towards Tipperah.

The hills near Sylhet produce iron ore, in their concretions like cast-iron plate, yellow ochre, sand, and different kinds of clay; but they all rest on blue clay to a great depth, bearing strong alluvial marks at the foot of the hills to the depth of upwards of twenty feet, soft blue clay appearing as if deposited by frequent inundations.

Opposite Sealtake, in the Cochin Rajah's country, where a chokee is kept to prevent strangers going to Cossore, his capital, there is a nullah which runs into the Tipperah hills; it is narrow, and has fall sufficient to turn water-mills; the stream is constant, and may be navigated by small boats; at about two miles from the mouth of it is a cluster of high round hills, composed of sand-stone and whitish clay, and a little below the base, issues a very fine oil of petroleum from the stone, the colours turn grey fast. This stone is inclined to blue, and strongly impregnated with the oil; I dug four feet through it, and found it turning slaty, which strongly indicates coal to lee; marvel is only to be got supernatant on the water, which renders it tedious in collecting; however, it might be procured by pumping water into a high vessel, with a number of holes; the water could be drawn off at the lower ones, and the oil from the top. These hills can be easily found, and the experiments pushed farther if necessary.

There is a Mussulman Durga on the summit of one called Arping or Arpeen, to which many people resort; the oil will be found in two rocks adjoining to it, and also in another near the plain opening into the Honourable Company's dominions, the road

road to which is from Budderpore Tannah. I could not carry on my researches at the above place to any great extent, without making arrangements which would occasion expense and great loss of time; and as the season was advancing, I proceeded round the frontier mountains towards Seesung; but if desirable, I can give instructions to labourers, under the direction of the magistrate, to examine this place further. The mountains on the front round Cochar and Gentca, are sand-stone in general, below which, at a great depth, it is probable coal would be found. I have reason to believe the mountains in the rear produce lime and various other stones. In the small hills at the foot of the mountains, the iron liquor running into the sand concretes into several fanciful forms, and also converts the sand into nodular stones, the outside hard, but very soft within.

At Pundwa there is the best situation in India for an iron mill, or several iron mills, for the manufacture of bar, bolts, hoop or sheet iron, the mill or mills might work at the least nine months in the year, and could be constructed at a very moderate expense. The Cosseahs smelt the ore, and make it malleable by one process; they take fine granular iron ore like sand, pound and wash it clean, then mix it with water into a soft mass, and dip bits of reeds, sticks or leaves into it, until they take up as much as they will hold, and when become pretty dry, are thrown into the top of a small clay cupola furnace and melted down; by observing the effects of this process, it will plainly appear that the iron must be tolerably pure. They carry it down to Pundwa from the furnaces, and dispose of it at one rupee and five annas per maund, which is much cheaper than it could be procured in the Europe method of making it at present.

This iron might be collected in large quantities, and forged by millwork into the usual shapes; however, I would not advise it to be attempted unless iron should become scarce. The hill streams about Pundwa produced no fragments that indicate coal to be near this source. In the second range limestone of a fine quality is found and carried out for sale.

The Beraky mountains contain limestone also, and the small hills at the foot yield the greatest variety of beautiful plants to be found in one spot, perhaps, in the whole world. In the mountains nearly opposite Salaghur there is a petroleum spring similar to that at Arping, it may be found by enquiring at Bungou Tannah, as the natives use the oil for embrocations and curing cutaneous disorders. The oil is called Oto.

Mostly all the streams which issue from the Cosseah mountains near Laour, furnish abundance of fragments, which show that the waters must have passed through beds of coal, particularly the kind called cannel. The making of coal tar, beads, cups and armlets from the cannel coal, I imagine, has been a trade carried on by itinerants, and the inhabitants about Lavour, for many centuries. Fackcers resort to this place and carry away these articles for sale. This coal is called by the natives Peer Pottaree, and supposed by them to have originated by a Mussulman saint having set fire to a mountain by throwing his sandal upon it, to convince a Hindoo rajah of his power. The source of the cannel coal is not at present known, but the rains bring down a fresh supply every year. I traced it about twelve miles into the mountains, the pieces appeared there more nodular than some which I saw on the plain. I am of opinion it is brought down by some of the streams which enter the Patli from the Garrows; but it has more than one source, as I found fragments which appeared to be detached much nearer.

Towards Seesung, beyond a place called Seripore, or Cheripore, is a small rivulet coming down from the mountains, in which is traced common coal. The strata, which is only nine inches thick, is half a mile within a ravine, dipping seven inches in the foot, which is an unusual circumstance. The roof of rotten grey sand-stone slate, full of mica, incumbent on which is massy sand-stone not stratified. The pavement or floor



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hard ferruginous sand-stone, and the bed of the stream full of massy sand and lime-stone, and bituminous iron ore, with various other fragments. I tried to discover this vein in the valley, where it no doubt thickens, but found at twenty-four feet down marks of the place having been once cultivated; at the level, meeting with much water and considering the great angle of the seam, I judged it fruitless labour, and abandoned it. This vein was shown to a Mr. Stark by some natives whom he had employed for the purpose of discovering it; Mr. Stark attended with me for five weeks, being anxious to learn the method of searching for coal, as his business is in that neighbourhood. I also employed four natives (who have much local knowledge and understand the Cosseah language), and instructed them during several days how to search for coal. These people found another vein of coal, on the top of the second range of mountains, to which place I immediately repaired, and found the vein to be two feet thick and the coal very pure, but burns rather rapidly although it cakes. I cleared the face of this vein, and gave Mr. Stark instruments and instructions how to drive a gallery into it, and load a few boats to send down as soon as possible, by which the quality of the coal will be known, and the expense of bringing it out nearly ascertained, but owing to many difficulties to be overcome, I fear it will come too high. This seam appears dislocated in the strata, the roof is tessellated, but in other respects like most coal roofs; the pavement or floor is very soft, so that it may be cut to let the workmen enter, but if the vein should not thicken, two feet will not pay the expense of working; however, there is great reason to expect it will. This vein dips two and a half inches to the foot to the south, or nearly so; the ascent and road out is difficult and dangerous, but several other veins will, I trust, be shortly found, as the people now know what is wanted.

In the Seesung river and streams, the fragments of common coal are also found, but less in quantity than about Lewur; fifteen people could only pick up one maund in seven days, and could not find its source.

The Seesung rajah advised me not to go into those hills without a strong force, and even in that case not to remain long, as the people were very unsettled. Although I saw no necessity for a strong force I did not conceive it worth while (from the nature of the country altogether) to lose more time, or to incur expense by carrying my researches further in that quarter, as the difficulties (already too many for the complete success of the business) would constantly increase.

The hills and mountains extending all along the north-east frontier, as well as those which I saw on the Ganges, are deeply buried by earth and sand, which I imagine has been furnished from time to time by the decomposition of other mountains, and in the rainy season the country round about them being always inundated. This circumstance is much against a deep mine of any kind being successful. It is remarkable that in the hills on the north-east frontier, the strata in general run up one side of the mountain and dip down the other, keeping in some degree the shape of the surface, and even in the plains where a deep excavation is made, the earth (evidently alluvium) appears in strata sometimes flat, in other places wavy, but often presenting an arched surface, as if small hills had been buried, but they are certainly of recent formation.

I have no doubt but the coal seams on the hills near Sylhet will soon become of great value to that district, particularly as fuel is becoming scarce, coal will be shortly used for the purpose of burning chunam, as well as other purposes; but for the use of Calcutta, I am of opinion the Jungle Mehals must be resorted to for a supply, as that article is there to be met with under the most favourable circumstances, and has no obstacle in its way, excepting the difficult navigation of the Damoodah, to which I alluded in my letter to government last year.

There are many difficulties in the way of importing coal from the Cosseah mountains in great quantities; the natives of which (females excepted) will work but little, the men being

being almost constantly at war with each other. Their war is a war of extirpation, without any object in view, except that of decapitating their enemies; the heads of those whom they catch, mostly by stratagem, they stick upon bamboos and dance with them in the bazars, begging for what they can get. The Bengallee population along the foot of the hills is very thin, and they have a great aversion to go into the mountains; and labourers brought from distant parts are very liable to sickness during the rainy season, and the major part of them die.

The uncertainty yet of getting a seam thick enough to work profitably, and the distance from Calcutta being so great that a boat at the utmost could not make more than three trips in a year, makes the business yet doubtful. The expense of carriage from that quarter would be great, as it is at present sixteen rupees per one hundred maunds, and were more boats employed, it would increase and raise the price of chunam (already too high) to a much greater.

A considerable sum of money is at present sent out of the British territories for wood, iron, and other articles for building boats used in the transportation of chunam; and in the event of the coal trade being carried on, it would be considerably increased.

The hills on the north-east frontier furnish the following articles for trade, *viz.* red jarool wood for boat-building, limestone, firewood, iron, wax, honey, pepper, cotton, beetel-nut pawn, lemons and oranges, rattans, bamboos, ivory; tazeput, an aromatic leaf like cinnamon, used in currys; ugger, a substance used for frankincense, it is deposited by a worm which bores into a jungle tree; the tree is cut up into chips, and the part collected through which the worm has passed. The natives take in return money, rice, fish, fowl, and eggs.

Now, having to the utmost of my knowledge candidly stated the foregoing observations, I humbly beg leave to submit to government a plan by which the coal trade in the Jungle Mehals will succeed and become profitable, notwithstanding the just objections I made to it last year.

I propose that a few boats, some of three hundred and others of four hundred maunds, be built on the banks of the Damooda, of Ramghur saul and iron, and that a few of the Burdwan boats (whose people are in the habit of navigating that river) be hired for the transportation of the coal. That a mine shall be opened upon a cheap and simple plan, where the best coal is to be found, and carried to the banks of the river during the dry season. That immediately upon the opening of the river, the new boats shall drop down, and the hired ones go up and load with coal as quick as possible, and proceed down with it to Omphtha and unload there, return empty, or take grain or other articles up which would pay freight, load again, and continue in the same manner during the period which the river should continue navigable; and when the Damooda became not so, the whole of the boats should then load at Omphtha, and be employed during the dry season in transporting the coal to Calcutta. By this method the boats would be employed during the whole year, and I believe at least they might make six if not seven trips annually.

I would dispose of the new boats at Calcutta, whenever a good price offered, and replace them from the building establishment.

The business ought by all means at first to commence upon a simple and cheap plan; and if found profitable, many useful contrivances may be introduced to facilitate the business of loading and unloading, and also in that of land carriage, which after a little time may in a great measure be obviated.

I have, &c.

(Signed) WILLIAM JONES.

Calcutta, 18th April 1815.

# 364 FIRST APPENDIX TO THE THIRD REPORT OF THE

X.  
COAL MINES.

Sylhet.

COPY of a Letter from the same to the same.

SIR:

SINCE I had the honour of last addressing you on the subject of coal, I have received a letter from Mr. Stark (the person I left to work the mine), stating that the people under him had found another mountain vein, seven feet and six inches thick, which is full as much as I could wish for. This seam dips only one inch and a quarter to the foot, which renders it easy to work, the road into it will be good, and the water will discharge itself.

I have tried a basket full which was sent me by the person above-mentioned, and find it can be used by smiths, but it burns too free, and produces great flame; but this circumstance will not be disheartening when it is considered that it has been exposed for some centuries, both to the weather and mountain floods, which must have washed away its acid and other substances which retard combustion; but when this coal shall be taken from a situation where it has been sufficiently covered and protected, I have little doubt of its proving very good, and may be sold in Calcutta at eight annas per maund, after paying ten per cent. duty.

The Ponnetul Rajah has farmed all the coal procurable in the mountains, from the Patle to Bansecorah or Seesung, for the term of five years.

Mr. Stark has taken a lease, the particulars of which he has not yet made us acquainted with, but I imagine the rent will be little more than one hundred rupees per annum.

I particularly directed Mr. Stark to consult the magistrate upon every transaction which he might find it necessary to undertake on account of the coal business.

I also beg leave to observe, that in his advice to me he has not mentioned in whose name the lease has been taken; however, I believe him to be a very industrious honest man, and one who will give no trouble.

Having nothing further at present to add on the subject of coal, I beg leave to request you will be pleased to attach this as a supplement to the last papers I had the honour of forwarding through you to government.

Seebpore, 24th April 1815.

I have, &c.  
(Signed)

WILLIAM JONES.

COPY of a Letter from the same to the same.

SIR:

THE coal trade in the neighbourhood of Sylhet having been a little interrupted by the improper conduct of an individual attempting to monopolize the whole, and the resistance of competitors, I think it will be a few months yet before it can be proved whether the article will answer the market or not, although I have no doubt but coal of every description will be found there, as there has been no less than nine mountain veins already discovered, many of them different in quality, from the Patle river to Tipperah mountains. I suspect the coal lies at no great depth from the base of the mountains. I have now in my employment four natives of that country, endeavouring to teach them how to sink shafts near the petroleum springs; they make as yet but little progress.

As the Damooda river will be open in a few days, may I beg permission to go up as far as it is navigable for small boats, with a view of ascertaining which of the nullahs will lead nearest the coal fields, and to make other notes and remarks that may be necessary if a mine is opened in that direction. Although this business has taken up more time than I ever desired it should, I have no doubt but by a little more perseverance it will ultimately give satisfaction, and by laying a duty of two annas per maund on all country coal after the first two years, it will become a source of revenue worth notice.

Calcutta, 12th June 1815.

I have, &c.  
(Signed)

WILLIAM JONES.

COPY of a Letter from Mr. J. Stark to A. Trotter, Esq., Acting Secretary to the Government of Bengal in the Public Department.

SIR :

I had the honour to address you on the 8th March, intimating that I should forward to the government a few hundred maunds of coals from the adjoining mountains, belonging to the hill rajahs, where the coal was found, and seen and examined by Mr. Jones.

Permit me to observe in this place, that the discovery of coal in Sylhet was in the first instance found out through Mr. Smith's exertions, by his people picking up the scattered coal from the bed of the rills of water; and by their pointing out to me the spot from whence the scattered coal was picked up, led me to trace the source as far as the jungles and mountains would then permit me to go with any degree of safety, and on Mr. Jones's arrival we repaired to the spot which led to the discovery of the first vein.

I beg to acquaint you for the information of his Excellency the Vice President in Council, that since that period I have negotiated with the hill rajahs (Myess Sing, and others), and have been obliged to take a lease or grant from them for the range of mountains containing these coals, from Panmatiet to Bunsikora, for the term of five years, as prior to that, not having any security or engagement from the wild Cossecahs inhabiting those parts, neither myself nor my people could venture into the interior of these mountains with any degree of safety to search and work on the coals, and this being now accomplished, I have the honour to acquaint you that I have sent down a boat laden with 250 maunds of coal, taken from two different strata; some more shall immediately follow from other strata or veins, as musters, which go together with this, will be submitted to government by Mr. Jones, who will be able to give such further information on the subject as may be deemed necessary.

I beg leave to observe, that I have had people employed in this business ever since Mr. Jones left this; and have in consequence been put to very considerable expense in clearing thick jungles and other attendant charges, in order to leave no means untried to meet the wishes of government, in tracing good veins of coal in this country, which has now been accomplished, and which I well know that Mr. H. T. Colebrooke and Mr. Smith, of Sylhet, had so much at heart, as will be found on reference to Mr. Colebrooke's letters to government on the subject of the 2d July, 13th September, and 14th November, as also Mr. Trotter's reply to Mr. Colebrooke on the 20th September 1814, when Mr. Jones was deputed to come up on a survey of the coals.

I am not without hopes that should this specimen of coal, and what I shall hereafter send, answer the expectations of government, that I shall, with their liberal patronage and support, be able fully to meet the wishes of government, and supply them with any quantity that may be required annually for the several purposes of government, as will be very beneficial to government and to the public in general.

I have, &c.

Laour, 15 May 1815.

(Signed)

J. STARK.

X.

COAL MINES.

Sylhet.

COPY of a Letter from the same to W. H. Trant, Esq., Acting Secretary to the Government of Bengal in the Territorial Department.

SIR :

Par. 1. I have the honour to acknowledge the receipt of a letter from Mr. Bayley, secretary in the revenue department, dated the 24th ultimo, and in reply to state for the information of the Right Honourable the Governor General in Council, that after I had discovered the Charergou strata of coal in March 1814, which Mr. Jones, by appointment of government examined and approved of on the 15th February last, a few days after which he left Sylhet to return to the Presidency; not having a water conveyance sufficiently near, it occurred to me the working and sending down the coal would be attended with much labour and expense; under this consideration I made further search, and succeeded in discovering the Barachara strata in March following. As it was then unsafe to proceed to the different parts of the mountains for the purpose of making discoveries, from the dread of molestation from the wild Cossecahs inhabiting those parts, I was compelled to make every exertion to obtain the sanction of the hill rajahs to prosecute the inquiry, which after much ceremony, trouble and expense, I succeeded in obtaining, and that in the form of a regular parbarree, the only mode clearly understood by the rajahs; and as this speculation was entirely new, it was with the greater difficulty effected for a period of five years, and the hill chiefs being acquainted with the exertions I had used for a considerable time before, were voluntarily pleased to give me the exclusive privilege of working the coal mines, that were and might be found within their precincts, which they confirmed by a second agreement on the 28th day of April last. From the circumstances above stated, you will perceive I was obliged to take a grant from the hill chiefs to prevent disturbance on the frontiers, that might have arisen from myself and people continuing to range the mountains without the sanction and wishes of the rajahs.

2. So far from causing any dissatisfaction amongst the Cossecah borderers from the hill rajahs having granted me an exclusive lease for working the coal mines, in my very humble opinion it is the only way to prevent altercations, which must naturally arise from the clashing of many individuals who might resort to the mountains, when confusion and quarrels would otherwise ensue, which would ultimately lead to bloodshed on the frontiers; but in the present case there will be but one rule, and the business being in the hands of an individual, it will not only be his interest but his duty to see that there is no discontent amongst the hill tribes, and thereby give satisfaction, not only to the Cossecahs, but afford security to the natives, who may proceed to work on the mountains.

3. For the further information of the government, I beg leave to inclose copies of certificates from several shipwrights and other artificers, who are also desirous of encouraging and supporting the working of these strata, from the coals having been found fit for their work, and that from regular trials made by them, as also from the uncertainty attending the importation of coals by sea, which at all times have proved precarious, influenced by these considerations several of them have agreed to engage with me for a regular annual supply.

4. From specimens that have been received since my first despatch to government of the coals, and which have been tried and approved of by their public officers, I am happy to state that the quality improves as I get deeper into the mines, and I am confident that in a very short time the coal from Sylhet will equal that brought from Europe, as it is even at present allowed to be superior to that brought from New South Wales.

5. Mr. H. T. Colebrooke's letters to government on the subject of the Sylhet coals, and more particularly those bearing date the 20th July and 13th September 1814, as also Mr. Secretary Trotter's reply to the same, dated the 20th September 1814, when Mr. Jones,

Jones was deputed by government to proceed to Sylhet, and I was consequently directed to communicate with him on his arrival at Sylhet, on the subject of the coals, will throw further light on the subject, and to these letters I beg leave to refer. Mr. Jones remained at Sylhet and the neighbouring places but one month, as will appear by my letter dated the 8th March last, and during that time only saw and examined the Charergow strata of coal, which was discovered by me in March 1814, of which musters were forwarded by Mr. Colebrooke in the letters abovementioned. On Mr. Jones leaving Sylhet he requested of me that I should make every research in the business, which had been my intention even before, and send down supplies for the approval of government, this I could not effectually do, as I before stated in my letter to government of the 15th May, until I had brought the chiefs inhabiting those places into peaceable terms, and making them friendly, as it is a prevailing custom in the country that no native labourers will proceed to work on the mountains till this is effected; which being done with their voluntary will and accord, I proceeded to the mountains and discovered the Barachara and some other strata of coal, of which I sent ample musters; this latter muster is the same alluded to in the second paragraph of your last letter.

6. In reply to this paragraph, together with the enclosures from James Ewing, Esq., magistrate of Sylhet, and also those forwarded by him from Messrs. Raitt, Inglis, and Co., I beg leave to acquaint you, that immediately on my obtaining a lease or grant from the hill chiefs, I apprized the magistrate agreeably to the copies of letters I herewith enclose, dated the 23d March and 26th April 1815, and beg to acquaint you, that from the information I have been able to collect about the limestone quarries (which lay in the same rajah's territories), they were originally worked by individuals, and Messrs. Raitt, Inglis, and Co. having excluded all others from taking limestones, a business which they had to that time been accustomed to follow to obtain a livelihood, and as by this exclusion those merchants were deprived of a right and advantage they had to that time enjoyed, they petitioned government, when government were pleased to allow the removal of that exclusion; notwithstanding which, Messrs. Raitt, Inglis, and Co. still take a yearly lease for the limestone quarries; by means of perwannahs from the magistrate, and the aid and assistance afforded by him, Messrs. Raitt, Inglis, and Co. take a yearly lease from these rajahs, after which the several individuals enter into an agreement with Messrs. Raitt, Inglis, and Co., or their agents, and draw their limestones, paying to them for such privilege a certain per centage for whatever quantities they may draw.

7. As the coal is an article of trade altogether foreign and new, and entirely found out in the district of Sylhet through my labour and exertions, and having in consequence been at very considerable expense for the last two years, I am thereby induced to hope for the favourable countenance and support of government, and further in allowing me on account of my exertions in bringing to the notice of government such a valuable article, so generally required for the use and consumption of Calcutta, and for which government have not in any shape whatever been put to any expense on account of my discoveries.

8. Being actuated with an ardent zeal for the service of government, I trust the steps I have taken will meet with their approbation, and that government will be graciously pleased to honour me with their countenance and support. I humbly conceive it will be of essential service in bringing to perfection this new branch of business, were the magistrate at Sylhet instructed to afford me that protection and assistance which is granted to other individuals who have any business to transact on the hills in similar cases.

9. Should I be so fortunate as to meet with the support of government in this new article of trade, I hope to be enabled to supply the different departments of government requiring

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Sylhet.

requiring coals with any quantity, at the rate of twelve annas per maund, or Sicca Rupees 75 per hundred maunds, for the term of five years, or such other period as government may deem proper to limit.

10. I have further to solicit the indulgence of government as a compensation for the trouble and expense I have been at, that they will be graciously pleased to allow me to supply individuals with such coals as may be required, free of duty, for the term of ten years, in lieu of any remuneration or compensation for the very heavy expenses I have already necessarily incurred. There is at present no duty levied on this article, it being of so little moment, and there being so little of it brought from Bheerbhoom; from the very inferior quality of that coal it is not much used, but by the encouragement afforded to the Sylhet coal, it will I trust in the course of a few years hence yield government considerable revenue.

11. As I cannot with any degree of propriety and accuracy forward a regular statement of the actual expenses incurred by me in procuring and forwarding the coal which was distributed to the several officers of government for their examination, agreeable to the Regulations of Council of the 24th June last, I beg leave to acquiesce in whatever orders government may be pleased to issue on this head.

I have, &c.

(Signed) J. STARK.

Calcutta, 10 January 1816.

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COPY of a Letter from C. Walter, Esq., the Assistant Resident in charge at Cutch, to the Secretary to the Government of Bombay.

SIR:

Cutch.

Par. 1. I HAVE the honour to reply to your letter of the 24th ultimo relative to the coal of Cutch.

2. Considering the orders of government on this subject paramount to every other duty, I have returned from Anja in order to commence the inquiry. The communication to the officer commanding the troops, a copy of which I beg to enclose, will explain the means at my disposal, and the Honourable the Governor in Council may rest assured that no exertion shall be wanting to bring the question to a decision.

3. The work will be immediately commenced upon, and progress regularly reported. As the first operation will take place upon the pit from which specimens have hitherto been forwarded, it will be a considerable object to ascertain whether the coal already furnished is the exact description to answer the purposes of government. The inquiry however will not be limited to the vicinity of Bhooj, but wherever a satisfactory indication of coal shall exist the work shall be pursued.

4. There are two descriptions of coal which have hitherto been discovered in Cutch; the specimens already forwarded are of the mineral kind, which is found in considerable quantities. The vegetable coal has been only noticed in small veins in beds of rivers; by a vigilant search, however, the latter description, I have little doubt, may be discovered in equal quantity with the former.

5. Enclosed with a further specimen of coal this day forwarded to Bombay by boat, I have the honour to furnish a small specimen now with me of the iron of Cutch, the manufactory of which is languishing for want of a sufficient market.

6. It is considered in this province superior to European iron for all implements of agriculture,

culture, &c., and may be procured at two rupees per maund, or even a less sum; for, on account of the small demand, and the system lately pursued, the trade is a monopoly, and subject to difficulties which from the limited means of the manufacturers they cannot emancipate themselves.

I have the honour to be,

(Signed) C. WALTER.

Bhooj Residency, 8 January 1826.

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COPY of a Letter from the same to the same.

SIR :

I HAVE the honour to report further upon the subject of the coal of Cutch.

The work has been pursued on an extensive scale without intermission during the last eight days, and I have the pleasure to inform you, for the information of government, that it presents a most satisfactory indication of coal in considerable quantities.

About ten candies have already been procured of a similar description to that which was forwarded to Bombay on the 9th instant; an equal quantity might now be procured by one day's labour, as the object has hitherto been rather to clear away rubbish and lay bare the face of the rock, to facilitate future operations.

Par. 3. In order to present government with a correct idea of the obstacles to be surmounted in excavating the coal, it will be necessary to give a short local description of its situation. The coal was first discovered in the bed of a river running near the village of Trumboo, distant about six miles to the northward from Bhooj. From the result of the first day's labour, it however was ascertained that the principal stratum ran horizontally along the bank of the river; when first worked upon, it was found two feet above the level of the water, but upon pursuing it the stratum was discovered to take an inclined dip; and by the time the work had been pursued to a level with the river, a second stratum, about a foot beneath the first, was found, but the influx of water rendered it impossible to pursue the work further horizontally along the bank of the river.

4. The discovery of the second stratum was hailed by the miners as a certain omen of a succession of strata, which though at first separate are generally found to unite; each stratum is about a foot broad.

5. In order to avoid the inconvenience of the water, it was suggested that a tunnel should be dug in the bank of the river, in the hope that a similar favourable indication of coal might be discovered in that direction. This work has occupied all hands during the last three days, and it will be gratifying to government to be informed that as the work proceeds the appearance improves.

6. I have already mentioned that about ten candies of coal have been excavated in the progress of the work, and that the bank has been cleared, presenting a stratum of coal which has been now worked for about sixty yards in length; but as excavating the coal weakens the bank of the river, it is supposed improper to work the vein excepting in the direction in which it is intended to be subsequently pursued.

7. I have the honour to forward a further specimen of the coal excavated within the last few days, and I beg the instructions of government as to the disposal of the quantity already collected.

8. I am unable to furnish government with any accurate estimate as to the sum at which coal might be procured and forwarded to Bombay. Forty miles of land carriage will



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will more than double the cost of production; upon the carts of the country (which are however totally unfit) it might be forwarded from Trumboo to Mandavee for about four rupees a Surat candy, and a rupee and a quarter from Mandavee to Bombay; but by carts adapted to the purpose, and on an improvement of the roads of the country, it might be transported at one half that sum. The cost of production it is impossible at present to estimate. Should this rough estimate come within the limits of the expectations of government on the subject, I beg respectfully to suggest for consideration a further small addition to the pioneers at present at this station, when work might be partially applied either at the mines, or the improvement of the roads. I likewise beg that a certain number of pumps and boring rods (such as are used by miners) may be furnished from Bombay, by which much labour may be saved.

I have, &amp;c.

(Signed) C. WALTER.

Bhooj Residency, 17 Jan. 1826.

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COPY of a Letter from Lieutenant Clark, to the Resident in Cutch.

SIR :

I have the honour to report to you the progress of the coal mine since my superintendence of the work commenced.

The appearance of the stratum when first exposed indicating the greatest quantity of coal in a horizontal direction, a tunnel has been run under the rock, which has been conducted with much labour thirty yards in a direct line. The vein of coal which on first opening the tunnel was about nine inches broad, gradually increased to twelve inches, and I entertained great hopes that by further excavation, as the work proceeded, a proportionate increase in the breadth of the vein would have occurred.

Par. 3. Upon advancing the tunnel, however, to its utmost present extent in a direct line, no further increase in the breadth of the vein took place, and the miners then advised the running the tunnel at a right angle.

4. The tunnel was then run nine yards in a different direction, but the appearance not being favourable, the original direction has been again resumed.

5. In the opinion of the miners, and by the information which I have been enabled to collect, coal in very considerable quantities exists in the immediate neighbourhood of the present mines; but in works of this description, even in the most favoured countries, it is rare that a greater extent of coal has been found without the use of machinery or much manual labour. From the quantity hitherto produced by our limited means, and the short time the work has been in progress, the most sanguine expectations are entertained by myself and the miners, that by the use of the boring rods and other machinery, on its route from Bombay, even a greater breadth of vein may be discovered, and on its arrival it is proposed to sink shafts in many directions in the immediate neighbourhood, to discover the direction in which the vein of greatest thickness may run, by which the laborious task of running a tunnel in an uncertain direction may be avoided.

6. On the arrival of the boring rods the present work will be temporarily discontinued; and during the time the shafts are sinking I shall take the opportunity of proceeding to other places, where I am informed that coal has been found in directions more favourable for its conveyance, and more free from water. In proceeding with the work much coal of the very best quality has been excavated, but in the hopes that veins in the immediate neighbourhood may be discovered which may be more productive, I forbear for the present

sent from offering any observations as to the quantities which may be produced from the stratum already worked upon in a given time; but when the spot has been more thoroughly investigated, this matter will be reported upon, but it may now be considered beyond doubt that coal in considerable quantities exists on the present spot.

7. The work has hitherto been conducted with little or no expense, further than any remuneration which the government may think requisite for the miners.

In concluding these few remarks, I beg to recommend the miners to the favourable consideration of government.

I have, &c. &c.

(Signed) C. CLARK,

Lieut. 21st Regiment,

Tramboo, 6th March 1826.

Superintending Coal Mines.

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—  
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COPY of a Report from Captain Wildey to W. Newnham, Esq., Chief Secretary to the Government of Bombay.

THE coal mine of Cutch lies on the right bank of a large ravine, through which runs a small stream of water, distant from the entrance of the mine eight or nine yards, and about five feet below its level. The mine has been worked in the usual manner of driving, following the vein of coal in a direct line nearly twenty-two yards, dipping gradually across the trace of the mine, and varying in thickness from four to seven inches, the level then takes a turn to the right, and inclines in that direction about three yards, when it resumes its original line by a turn to the left, which it continues six or seven yards further in, when the miners were withdrawn. The different strata through which the level has been driven are those most commonly attendant upon coal mines; but other strata, pyrites, and various other appearances of ores, fully indicate that coal is not the only valuable that will be discovered in it. The coal of the Bhooj mine I conceive to belong to the class of Ampetites, or nearly approaching those of that species in quality and specific gravity; at the same time it partakes of the qualities both of the cannel and pit coal in its combustible properties, and will be found to answer every purpose either for the forge or steam engine, as far as my judgment serves me, and under all the disadvantages I had in making my experiments on the coal. I conceive that there are different classes in the mine, and that a still more superior quality than the specimen which I had the honour to forward through the chief secretary to government will, on sinking a shaft, be discovered. The best quality of coal in the mine yet found, I consider to contain about seventy per cent. of charcoal, twenty of bitumen, five of sulphur, of iron three, and calcareous earths two. The second best, charcoal sixty, bitumen fifteen, oxyde of iron nine, earths ten, sulphur four, hydrogen and carbonic acids two. I have also noticed, on examining the coal heaped for cartage to Mandavie, that a great proportion of it resembled the Welch culm and the Kilkenny coal. In the Bombay Courier of the 25th March last, I observed a statement of the experiments tried at Bombay of the Cutch coal; I am led to notice that part of the letter signed "a Friend," as regards the failure of the experiment, and also of its combustible power. The writer of this letter states that the "specimens which have been obtained under the operations which have lately been instituted, and which have been forwarded to the Presidency, do not, we understand, give much encouragement to persevere; on trial, the Cutch coal has been found to have little more than half the power, as a combustible body, possessed by common English coal." Now, with regard to the specimens forwarded to the Presidency, I beg to say that they were of the most inferior quality, and not the same coal as now found in the mine. The coal with which these experiments were tried at Bombay, was from a stratum which drew across the trace from its first working, and continued dipping (*vide* Sketch of the Mine) to nearly where the fourteenth couple which supports the timber of the

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roof are placed, I am happy that it lies in my power to state this, because, on my first visiting the mine, the miners had not driven their level more than twenty-two yards, and no coal had been sent down to Bombay beyond fifteen yards of their working, the remaining seven yards of excavation was then lying ready for cartage to Mandavie, consequently as the best coal was not discovered till the miners had driven their level near twenty-five yards, the experiments on that quality are still unknown at the Presidency. I am however willing to admit that the trial at the Presidency was good, and such as stated in all its particulars, and that the combustible properties of the coal with which it was made, only contained half the power as a combustible body possessed by common English coal. What a consideration this is; that the worst description of coal found in the Bhooj mine should on trial be found to contain more than half the properties of combustion that coal sent from England possesses. This simple fact must argue much in favour of a mine just opened, and worked under great disadvantages, the coal lying exposed for many weeks to the dews of Cutch by night, and the sun by day, ere it is shipped for the Presidency; that alone would be sufficient to destroy its best properties.

Having stated thus much of the inferior coal, I will now say a few words on the best quality discovered to the period of my last inspecting the mine, which was the day after the miners had been withdrawn, and which I feel assured will not admit for a moment a doubt or prejudice against its combustible qualities. I had expressed a wish to my friend, Colonel Dyson, of making a party to the coal mine. A pic-nic was formed by him, Colonel Mitford, Captain Capon, myself, and several other officers. After breakfast we examined the mine, then looked at the coals which were heaped for cartage to Mandavie. On closely inspecting the heap I was satisfied that coal was not the only valuable produce in that mine, in consequence of which I paid frequent visits to it, and made several experiments, the result of which have in part been laid before you; but to return to the pic-nic party: I proposed that our dinner should be dressed by a coal fire, and I undertook to superintend it. A few baskets of coals were brought from the heap and the fire kindled, which burnt in the clearest manner possible, and precisely with the same flame and appearance of the best quality of cannel coal in England. I had some little difficulty in regulating the heat for the country oven, from the fierceness of the fire, but by moving the oven nearer to, or further from it, I succeeded remarkably well in baking, and I cannot speak too highly in favour of a coal fire for the boiling, roasting and deviling; the novelty of having a dinner dressed by a coal fire in India, afforded us the highest gratification and delight. This trial led me to make experiments to ascertain its combustible qualities, and also the proportions of its component parts. As far as I was enabled to judge, I conceive the best coal of the mine superior to English coal, and the secondary sort equal to the "common pit," the bovey, "the hale," "the sea," the bitumen, and the caking coal, the whole of this belonging to the same species, and mostly used in steam navigation, and seldom varying from fifty to sixty per cent. of charcoal, twenty-five to thirty of bitumen, the remaining parts consisting of earth, oxyde of iron, and such other substances as are generally met with in coal mines. I had nearly forgotten one important circumstance connected with the pic-nic, in stating that the fire was made in the open air, a few stones forming a back and sides of the fire-place, and wholly unprotected by tree or hedge; now how far English coal would have burnt exposed to the sun as the Cutch did, would be an experiment worth trying. Having thus confidently spoken of the Cutch coal, I will now make a few observations on the quality of its smoke, or gas, which in the present era of scientific knowledge and invention ought not to be overlooked, as I consider it much superior in quality as well as in specific gravity to that of coals used for any purpose in England, and would not require that process of purification which the English coal undergoes in procuring gas, being itself extremely pure, would be found highly valuable for every purpose which gas is at this present moment used in almost every part of Europe. As a coal for steam navigation it will be of the utmost importance, as it would burn a great proportion of its own smoke,

smoke, and would not foul the flues of the furnace by incrustation in the same manner the English coal does, and which too frequently happens in British steam boats. I now beg leave to offer a few remarks on the method in which the Bhooj mine has hitherto been worked, and also the difficulties which are likely to arise from its locality, situated as it is nearly in the bed of a large river, which on the increase of the waters in the monsoon, will in all probability, fill the adit with sand, and wash away the couples and timber of the roof, or by bursting the gallery, render the mine under it unfit to work for a considerable time. A long and laborious work was continued in driving the present level, which might have been saved by sinking a shaft and working by intersections, as the different strata appeared, and which might have been easily accomplished by the use of the windlass, or whins, worked by bullocks, until a satisfactory trial had been made whether the mine was of sufficient importance to require the aid of British miners and machinery; as it is well known that a horizontal level cannot be driven to any great distance, neither can a single shaft be sunk to any considerable depth without some contrivance for procuring currents of air, to make up the deficiency of what is so rapidly consumed by respiration, to the want of which may be attributed the very dreadful effects of the gases, so frequently occurring from fire-damp, choke-damp, and other incidents too common in mining; it is therefore highly essential that every precaution should be taken to protect the miners by the use of safety lamps, as well as procuring them free ventilation, which can only be complete by either sinking other shafts or by air pipes to the surface itself. To carry on all the process, mining requires the combination of much skill in the various branches of engineering, and it is also the essential part of the miner's art to distinguish and select the most advantageous spots for breaking ground, where he may be unopposed by streams of water, by unwholesome air, or be cramped for room.

Having now stated my opinion as far as my observation and judgment permit me, on the Cutch coal and the working of the mine, it is needless to quote on the general principles of mining, which seldom deviate from those practised in the coal mines of England; but where the want of machinery, the difficulty of procuring timber, the local situation of the Cutch mine, and other obstacles and difficulties intervene, it may be requisite to deviate from the beaten track to obviate such difficulties, under whatever circumstances they may present themselves. It is, therefore, for the consideration of government to decide how far it may be advisable to continue working the mine, by the best means that can be adopted on the spot, or to send to Europe for scientific miners and machinery. It, however, may be worth the attention of government to cause research to be made in Cutch, with the hope of discovering coals at a much nearer point of shipment, and I have no hesitation in saying, I think it would be attended with success; but even in the event of failure, I think the cartage of coals from the Bhooj mine may be greatly facilitated by the use of rail-ways, which might easily be made in Cutch. In closing my report, from the general observations I made in Cutch, I firmly believe, from the various volcanic eruptions, and the many revolutions of nature that country seems to have undergone, that almost every production of the hidden treasure of the earth would be found there. I therefore hope and trust that under the present government of Bombay, every exertion will be persevered in, in making such research, the result of which may be the first step towards placing that Presidency, in the highest political point of view, independent of her present great commercial interests, and the advantages her port must derive from her local situation, in the event of a communication with the Mediterranean and Europe, by steam navigation, as well as to every port of Foreign and British India.

Kaira, 12 June 1826.

(Signed)

W. WILDEY.

COPY of a Letter from Lieutenant Jameson to Major Henry Pottinger, Resident in Cutch Bhooj.

SIR :

I have the honour to report to you, that in the left bank of the river, a quarter of a mile below the village of Trumboo, a stratum has been found, which at first appeared of a like quality and substance as that on the outer surface of the vein of coal worked in last February. I directed the workmen to excavate under the bank, one yard in depth, as far as the stratum extended in thickness; this was done, and I beg to give the following description of its quality.

The stratum is five and a half feet in thickness; the one and a half foot from the top of the stratum is a black colour of a hard nature, intermixed with a considerable quantity of coal, the remainder is more like grey port or metal stone in quality, hard in the working, but when exposed to the air turns softer; the most common is like a mixture of fine white and black sand, and when broken is of a dull dark appearance, though there are lighter colours, down to a light grey, all of which have particles of coal. The whole is of an argillaceous slaty substance, with streaks of coal, and is very like hard clay (with streaks of coal). Between this stratum and the surface is a stratum of stone, about twenty-five feet in thickness.

I have every reason to suppose from the above, that this stratum contains much coal, but at a greater depth. In consequence, a perpendicular shaft has been commenced upon, 500 yards from the bank of the river, at an angle from where the stratum shows itself; it is already twelve feet in depth, and in great progress.

I should recommend, as the European miners are coming up, another shaft to be dug 150 or 200 yards further up on the bank of the river, in line with the one now working, as the strata lie in that direction.

Orig. There is another stratum (I am inclined to think it is the same vein) further down the river, about twelve feet from the surface, where it is most perceptible, but in one place only five feet towards the *risolt*, upwards of three feet in thickness, of the same quality as the first, and in like manner contains particles and streaks of coal. There are several other places where the same kind of stratum is distinguishable, on the right bank of the river, and in all probability is the same vein which was worked in February last.

The engine which has arrived will prove of great use in digging the new shaft when water is met with. The want of one (the two in store being useless) is the reason for not commencing earlier on the new shaft, and this was not done till I learned from Captain Waite that one had left Bombay for our use. In case the engines do not succeed to the extent expected, I think common hand-pumps would prove a good substitute.

Of boring I have little to communicate, what has been attempted not having proved successful, owing to a defect in the machinery in use; after having tried numerous experiments relative to boring scoops and irons, the rod only reached eighteen feet from the surface after nearly six weeks continual working, when, from the pressure used, the rod broke, solely owing to the badness of the iron they are composed of, the same being the opinion of qualified judges, and formed the cause of complaint from the late Mr. Quin.

I have the honour to be,  
(Signed)

J. S. JAMESON.

Tramboo, 4 December 1926.

Lieutenant, Superintendent Coal Mine.

COPY of a Letter from Lieutenant Clark to the same.

SIR :

Agreeably to the instructions contained in your letter of the 9th instant, I proceeded to the new coal mine situated between Seesaghud and the village of Koorbee, and beg leave to state my opinion of it. There are two veins of coal running horizontally, the lower one is about two feet above the surface of the channel of the nullah, and is thirteen inches thick; the coal from it is heavier and better looking than that found at Tromboo; it is mixed with a great deal of sulphur, and when burning emits a very strong smell, with considerable smoke. The upper stratum is but a few inches in thickness, and is more like the coal found at Tromboo. I dug about four feet below the lower vein, in hopes of finding some indication of coal in that direction, but during that distance there was no appearance of it. I should think it probable that the beds would get deeper the further you advanced in the bank; but from the situation of the place, I should say little or nothing could be done without proper machinery, as it appears to me that, if possible, you would be more inconvenienced by water than at Tromboo. The coal is not so much like what is termed surface coal, it has more substance in it than any yet found in Cutch. The distance from the mine to Mandavee is nineteen miles, the road very tolerable, and capable of being made much better; the high road runs within 100 yards of it. The work at Tromboo has been carried on according to Captain Hawkins's directions contained in the enclosure to your letter of the 5th April last, the progress of which I beg to state. I commenced with cutting a channel, H, three feet in breadth, and six in depth, running directly in front of the tunnel E into the river, which when finished answered the purpose intended; for it not only carried off the water out of the tunnels A B, but had likewise the effect of keeping the tunnel E perfectly dry up to the very face of the rock, which before always contained about six inches of water. The next work was the driving the latter tunnel into the shaft D, an object most desirable, both on account of the oppressive heat, and darkness of the tunnel. The distance from one to the other at this time was forty-five feet; after working some days and nearing the shaft, the roof got so moist and dangerous, although the precaution was taken of propping it up with the best timber, that I thought it would be better to try and drive the shaft into the tunnel. The former at this time had about six feet of water in it; however, by constant labour, night and day drawing, we so far gained upon it, that the miners were enabled to go below and work for a few hours during the day; owing to this the work was slow and tedious, but at last the two were driven into one, and you can now walk from one to the other, at the same time they are both ventilated and perfectly light; the shaft is 70 feet deep, and tunnel 160 in length, cut through solid rock, which no doubt will account for the work appearing slow. The stratum of coal at the end of the tunnel is now about twenty inches thick; in appearance much the same as the specimens sent to the Presidency. I feel convinced the coal dips, which can only be ascertained by borings, which might easily be done now in the shaft D, but the roads at present here are so badly constructed that it would be impossible to attempt it during the driving the tunnel. A large quantity of the coal has been collected and is now in store; the men are now employed in cutting a narrow cut I, from the tunnel B into the shaft D, for the purpose of examining the coal in that direction.

I beg to assure you that every exertion shall be made to carry the instructions of government on the subject into effect, but in my humble opinion, machinery, and a practical man to direct, is indispensably necessary.

I have the honour, &amp;c.

(Signed) CARLYLE CLARK,  
Lieut. 21st. Regt.  
Superintending Coal Mines.

Camp, Bhooj, 24 June 1828.

COPY of a Letter from Ensign M'Culloch to the Secretary to the Government of Bombay.

DEAR SIR :

THE papers which I have hitherto seen regarding the Cutch coal field merely give an account of the mine itself, and mention nothing as to the general face of the country, nor the characters of the surrounding rocks, without which it is nearly impossible to form a correct idea of the nature or extent of the coal field now in question. Being however aware that the deserts of Asia and Africa are mostly composed of red marl, or second red sand-stone, it is most probable that Cutch, which borders on a tract of this nature, is partly composed of the same rocks; if this is really the case, it is most likely that coal will be found to a considerable extent in Cutch, as the red marl is the rock which immediately succeeds the coal formation, the latter when the series is complete being beneath it, hence there can be no reason against supposing that coal may exist in other parts of Northern India, nor beneath the sands of Asia and Africa; and a fact that greatly favours this opinion is, that coal is found in the northern provinces of Canton and in Tartary.

If, on the contrary, the Cutch coal field merely occupies a basin-like cavity, formed of higher primary hills similar to the situation of the Sutherland coal, it is probable that it will not be found to a very great extent; but I am inclined to think that this is not the case, for on consulting the map of India I see a large tract of level country, extending north from a few miles beyond Bhooj, which enables me, with the facts mentioned above, to form a favourable opinion as to the extent of the Cutch coal field.

I am informed by one of the miners, that sand-stone, lime-stone, and shell, are found on the spot; if so, the series is nearly complete, an occurrence which is also much in its favour.

It seems that two beds of coal, about seven inches thick, and a foot apart, have hitherto been worked. It is most probable that by penetrating deeper in a perpendicular direction other beds would be found, for most frequently many beds of coal are found alternating with the rocks which contain the coal. Such a repetition of strata has in some parts of England been known to amount to thirty, and it is said that at Liege there are sixty. It is seldom they are so numerous, but from ten to twelve is not unfrequent. In those collections of strata the beds not only vary in thickness, but also in quality; so that sometimes two or three only are worth working. By penetrating perpendicularly it might be found not only superior in quality, but also in quantity, as beds of coal are sometimes found from ten to twelve feet thick, but rarely more than two or three. For this reason, I would have advised striking a shaft, or boring from the commencement, and not have wasted time and labour on driving a level or horizontal gallery, as it is most probable that the two beds discovered do not join.

From the report of the Marine Board at Bombay, it seems to be a swift burning coal, which circumstance, added to the opinion I had previously entertained from seeing a specimen, makes me take it to be, properly speaking, a lignite, bordering however upon coal; but this does not prevent good common coal from being present, for they are often found accompanying each other; even supposing that this was not the case, it would be no objection against prosecuting the present work, as lignites have been worked with great advantage in many parts of England and Scotland.

I now beg leave to offer a few remarks as far as relate to the working the mine. It seems that the present opening is situated only a few feet above the level of a river, which during the monsoon is apt to overflow, and consequently choke up the aperture with sand and mud. Had a shaft been sunk perpendicularly from the surface, and no opening

opening made on the water side, it would have been far preferable, as by those means no danger would have been incurred of having the mine filled with water and mud every year; and in the event of any valuable discoveries being made hereafter, I would by all means recommend the building up of this level. If a shaft of this description was to be sunk, a pump of some kind would be immediately required, but without examining the spot it is impossible to say what kind; but if the water does not part, a simple pump worked by oxen, might, in this country, answer all purposes, or if the nature of the ground admitted it, an undershot water-wheel might be erected on the river, and by a horizontal movement work the pumps. The overflowing of the river would not prevent this; for an aqueduct carried along the river side from some distance up would produce a steady stream of water. Perhaps as a last resource a steam engine would be requisite.

I trust that there is nothing improper in remarking, that mining on the small scale, in Europe at least, is generally a losing affair, but at the same time I must state that no very extensive researches can be made without the use of some machinery.

I have been informed by one of the miners lately returned from Cutch, that the boring rods are much too thick and heavy for the present purpose.

In concluding these remarks, I am sorry to say that they are partly conjectural; to form any idea of the extent of a coal field, it is proper to examine the spot itself, and the character of the surrounding country.

The accounts which I have had however enable me to form a very favourable opinion of the extent and quality of the coal, and entertaining the greatest hope for the future prosperity of the mine,

I have the honour to be, &c.

Poonah, 26 September 1828.

(Signed)

HENRY M'CULLOCH.

COPY of a Letter from the same to the same.

SIR:

ACCORDING to the instructions I received from government, I proceeded to Sier Beni Yass, on board the Honourable Company's brig of war Antelope; I have now returned, and beg leave to send my report.

Sier Beni Yass  
Island.

I have the honour to be, &c.

Bombay, 2 February 1829.

(Signed)

HENRY M'CULLOCH,  
Ensign 18th Regt. N. I.

SIER BENI YASS is a small island situated on the Arabian coast, distant five miles, it is about fifteen miles in circumference, with a good harbour on the southern extremity. The centre of the island is a rugged tract consisting of peaks and masses of rock, the highest of which is not above 350 feet above the level of the sea; round this is a sandy plain or gentle declivity, which forms a most considerable part of the island. It produces small shrubs and rushes, which feed a flock of goats and a few camels; on the eastern coast in a ravine are a cluster of huts, which are inhabited by a few fishermen. Water can be procured by digging in the sand, but it is of a very salt and inferior quality.

It seems that a piece of coal was found by Assistant Surgeon Gray, on this plain, at the foot of the hills, bearing about N.W. from the harbour, it was found lying on the sand. To this spot I directed my research, but met with nothing of the kind, nor did I meet



## X.

## COAL MINES.

Sier Beni Yass  
Island.

with any other mineral that could indicate its presence; the whole of this plain being composed of very recent calcareous sand-stones and lime-stones, the lime-stones being formed of organic remains, consisting of various small shells, and the sand-stone being composed of the ruins of a more ancient sand-stone, which I imagine to belong to the red marl formation; this sand-stone, in some instances, contains a great quantity of calcareous matter. Above these are small hillocks of another argillaceous lime-stone, somewhat resembling chalk in appearance, but of a different nature, as it becomes plastic under water, contains a great quantity of salt, and indurates on exposure to the air; this is interstratified with soft granular lime-stone, it contains sulphate of lime in crystals, and silean flint passing into a variety of schist in flat parallel masses, about half an inch thick, mostly of an opaque nature; some however are equal in quality to the best English flint. The north point of the island is principally composed of the superior lime-stones.

So far it is evident that coal cannot exist on this plain, as it is composed of very recent sand-stones and lime-stones, above the red marl deposit, which series lays above the coal; it is thus evident that to reach the coal, if it does exist, a great number of strata must first be passed, perhaps to a thickness of several thousand feet, the red marl deposit being alone known sometimes to occupy a thickness of 1,000 feet, without including the various strata above it, those belonging to the coal field, and different basaltic rocks which would probably be met with, a depth that would render mining or boring quite out of the question.

The centre of the island consists of a bed of gypsum belonging to the red marl deposit of the English geologists; this has been greatly confused, elevated and fractured, by protruding masses and veins of trap rocks, consisting of basalts, clay-stones, and clink-stones, with some variety of porphyrys. Some of these veins contain fragments of the surrounding rocks, principally sand-stone and siliceous schist, are all in a very confused state; the veins of basalt contain iron, are sufficiently strong to turn the magnetic needle eight points from the north. I have reason to suppose that this iron is of a very brittle and inferior quality; these veins also contain ore of antimony in small quantity; the gypsum contains sulphur in veins, which is not an uncommon substance in this rock. Above these rocks is a thin stratum of sand-stone, containing fragments of an older sand-stone and basalt with gypsum, it is coeval with one of the strata on the plain below, and has been deposited since the production of the trap rocks; this stratum is very imperfect, having been greatly destroyed by torrents of water.

Now it is well known that coal does not exist in the over-laying rocks (except in the rare instances of basaltic lignite), and it is also well known that it does not accompany gypsum, the latter being a more recent deposit; and as the centre of the island is constructed of the above rocks, it is clear that the coal series does not appear at the present surface, although it might at a great depth.

The only manner in which I can account for the presence of the coal (found by Assistant Surgeon Gray), if it is the produce of the island, is by supposing a mass of the above substance elevated by the upheaving force of a trap vein, and afterwards washed down by the rains on the plain below; this theory can in some measure be illustrated by my having observed a vein of trap containing fragments of sand-stone and siliceous schist, both these being rocks belonging to the coal series; the latter is ascertained to be the shell indurated by the action of heat.

Thus I have shown that if coal does exist in this island, it must be at a great depth, and far beyond the reach of ordinary mining operations; that it may exist in small quantities entangled in trap by accidental causes is not impossible nor improbable, but in this state its presence is interesting merely in a geological point of view.

I regretted that my instructions did not permit me to visit the adjacent islands, as they seem highly interesting both to the geologist and mineralogist.

(Signed) HENRY M'CULLOCH.

COPY of a Letter from the same to R. Money Esq., Assistant Resident in charge of Bhooj.

SIR:

ACCORDING to the instructions I received from government, dated 12th February 1829, I visited the coal mine near Bhooj, and have now the honour to place before you my report on the subject.

Two thin strata of coal occur in the bed of shale about three feet thick, under a bed of sand-stone, about thirty feet thick. Three levels have been driven in a horizontal direction, with cross cuts; the principal level is about one hundred and forty feet long, and connects with a shaft sunk from the surface about fifty-three feet deep.

I am of opinion, that it would be useless to continue driving the levels any further, as coal seldom or never improves in a horizontal direction; the stratum now in question is not sufficiently valuable to be wrought. To continue sinking the shaft would also be a laborious and expensive undertaking, attended with little probability of success, for having examined the rocks in the vicinity, I find that it is impossible that coal could be found at a depth of less than one hundred and fifty feet; after this it is impossible to determine with certainty whether it exists or not; it is probable that it may. If any mining operations were to be carried on hereafter, I would advise boring about one quarter of a mile lower down the river, on either side. My reasons for this are as follows: the strata is elevated at an angle of about fifteen degrees to the north-west, which is nearly the direction of the river now as this is the case, the strata of sand-stone and shale can be traced without interruption up the bank of the river to the surface of the ground, and if the coal did exist it could be traced up in the same manner, as it occupies beds between strata of shale; but as it is not to be seen, I conclude that it could not be found to any extent unless beyond a depth of one hundred and fifty feet; the enclosed sketch will explain this in a most satisfactory manner.

As the whole of Cutch seems to belong to the same formation, I am of opinion that some spot could be found more advantageously situated, and of a more valuable quality.

The coal of Bhooj might properly be classed among the lignites, it kindles with difficulty and does not *cake*, owing to the small quantity of bitumen it contains; it blazes briskly when kindled, but does not afford much heat in proportion to the quantity of coal consumed; it leaves much ash behind, owing to its impure quality, as it contains much shale. The last facts would render it rather disadvantageous for steam navigation, as in the first instance it would require a much greater quantity of coal to generate a given quantity of heat, and in the second, the quantity of ashes would choke the furnace.

I would not recommend working any coal in Cutch, unless it could be found of a superior quality, and stratum two feet thick.

I have the honour, &c.

(Signed)

Camp, Bhooj, 16th March 1829.

H. M'CULLOCH,

Ensign 18th Regiment N. I.

COPY of a Report from Ensign M'Culloch, to the Resident at Cutch.

THE coal near Seesaghud occurs at the foot of a rock, forming the north bank of the bed of a river, the perpendicular height of which is about thirty feet. The coal is in two thin strata, separated by a bed of white clay, the upper strata is about four  
3 C 2 inches

Cutch.

## X.

## COAL MINES.

## Cutch.

inches thick, and the lower three inches in the thickest part, they are about one foot and five inches apart, and dip eight degrees to the west. The coal becomes gradually attenuated for about sixty feet, when it disappears; but in all probability it extends in the direction of the dip. These beds I imagine to be the same as those at Tramboo, although the superincumbent rocks differ slightly. The depth from the surface above is the same in both places.

The coal or lignite does not differ from that of Tramboo, except in appearance, for it is brighter and rather heavier from its containing more pyrites, it burns in the same manner, that is, it kindles with difficulty, but when ignited burns briskly; it does not cake, because it contains little bitumen, and leaves a great quantity of ashes behind, which retain the shape of the fragments of coal from which they proceeded. This circumstance would render it nearly unfit for the steam engine, as the furnace would get choked up with ashes. It would not answer for the forge for several reasons; the principal of which are, because it does not afford a sufficient quantity of heat in proportion to a given quantity of fuel (this is also against the steam engine), and because the flame it affords is brisk and light like the flame of paper, not dense and compact as it ought to be.

## Orig.

It contains parts of branches of trees in a carbonized state, flattened by pressure, which circumstance added to its containing *little* between, marks it to be a lignite, consequently a more recent formation than the true coaleries lignite transition from peat to coal through submerged wood. Peat contains the greatest quantity of charcoal, and no bitumen, whilst coal contains the smallest proportion of the former to the greatest of the latter; in short, the most recent formations contain the smallest portion of bitumen, and the most ancient contain the greatest, by gradual transition. As these upper beds are proved to be lignites, it is reasonable to suppose that if there are other beds beneath they must also be lignites, as they would belong to the same series. They might be of greater dimensions, but the difference of quality very trifling, as there would be but little difference in their dates of formation. It is true that coal towards the surface is sometimes of an inferior quality to the coal beneath, but it always indicates, more or less, which variety of coal will succeed, as in this case it indicates that the beds beneath will be lignites.

Unless the coal could be found very advantageously situated for mining operations, of a much superior quality, I do not think that government would find it advantageous to work the mines in Cutch. Sinking a shaft would be attended with great expense, for before it was twenty feet deep the water would gain fast, and it would be necessary to clear it out; at a small depth like this, it might be kept clear by hand, a winch, and kibble hand-pumps, or leather buckets drawn by men; but at a depth of four hundred or six hundred feet, the depth at which good coal is generally found, some more powerful machinery would be required, and in a country like this nothing but a steam engine would answer.

An engine of one hundred horse power with a set of twelve-inch cast iron tubes for pump pipes, with the engine-house, sheers, capstan, &c. &c., would be an expense of upwards of £5,000; perhaps a more powerful engine would be requisite, as it would be necessary to draw a column of water up to the surface of the ground. As this is a level country, no adits, or underground drains, could be contrived to carry off the water from any part of the sunk shaft, as it could be, was the mine on the side of a hill, or a declivity of any kind.

In the mining counties of England many adventurers go to an expense of £4,000, £5,000, £6,000, or even £20,000 before the beds are discovered; but this takes place in a country where the geology is perfectly well known, and the number of mines very great, so that there is almost a certainty of finding good coal between two mines which have proved advantageous; but in a country like Cutch, where the geology is but little known.

known, and where there are no streams to work the machinery, it would be running a great risk to attempt any undertaking where there is so little probability of success. Boring might be made use of, provided good labourers could be found who would not break the rods.

If boring is to be attempted in the spot lately examined, I would recommend trying it about one hundred yards higher up the river on the same side, and about fifty yards from the edge of the cliff.

I would not recommend working the present strata, as they would not prove more advantageous than those at Tramboo.

I examined the banks of the river lower down, but did not meet with any coal except one thin and insignificant strata.

Camp, Bhooj, 26 April 1829.

(Signed)

H. M'CULLOCH,  
Ensign 18th Regt. N. I.

X.  
COAL MINES.  
Cutch.

EXTRACT of a Letter in the Public Department, from the Governor in Council of Fort St. George to the Court of Directors, dated 16th May 1826.

Letter from, dated 30th September 1805, (2 & 3) calling for information respecting the means of supplying fuel for steam navigation.

Par. 4. We have the honour to state, that as far as is known, coal is not produced in any of the provinces subject to this Presidency, and application for a supply has accordingly been made both to the Supreme Government and to your Honourable Court.



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**Indigo.** Account of the quantity of indigo purchased by the East-India Company in Bengal, 1814—1829, with its cost price in rupees; specifying the rate per Factory maund, together with the charges thereon, including commission or brokerage allowed, and shipping expenses, and converting the gross amount into sterling money, adding proportion of freight chargeable upon indigo, and allowance for insurance; also an account of the sale and proceeds of indigo in London; statement showing the net profit and loss upon the annual investments; rate per rupee which indigo in each year yielded as a remittance, p. 156.

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**Interest.** Amount paid for interest on the Home Bond Debt from 1st March 1766 to 30th April 1814, p. 26.

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# **SECOND APPENDIX**

**TO THE**

## **THIRD REPORT**

**FROM THE**

**SELECT COMMITTEE OF THE HOUSE OF COMMONS,**

**AND**

## **MINUTES OF EVIDENCE**

**ON THE**

**AFFAIRS OF THE EAST-INDIA COMPANY.**

**17th FEBRUARY to 6th OCTOBER 1831.**

1

2

## LIST.

**RETURN** to an Order of the Select Committee of the Honourable House of Commons on the Affairs of the East-India Company, dated 1st July 1831 ;—requiring

**A** COPY of the CORRESPONDENCE between the Chinese Government, the Chief of the English Factory of Canton, and the Court of Directors, respecting any alleged Breach of the Laws of China, subsequent to the Departure of Mr. Plowden and the Succession of Mr. Baynes ; stating the grounds of difference between the Chief and the China Government, and the Proceedings thereon ; also, such Official Papers as relate to the Death of Mr. Mackenzie at Canton, and Proceedings thereon, up to the latest period.

(A.)—PAPERS relating to the alleged BREACH of the LAWS of CHINA.

Extract China Consultations ; dated respectively,

Page				Page			
12th October 1830	...	...	407	13th November 1830	...	...	427
16th October 1830	...	...	410	30th November 1830	...	...	428
19th October 1830	...	...	411	8th December 1830	...	...	431
20th October 1830	...	...	413	11th December 1830	...	...	<i>ib.</i>
21st October 1830	...	...	414	12th December 1830	...	...	432
23d October 1830	...	...	415	14th December 1830	...	...	434
25th October 1830	...	...	419	23d December 1830	...	...	435
28th October 1830	...	...	421	29th December 1830	...	...	437
29th October 1830	...	...	425	4th January 1831	...	...	438
1st November 1830	...	...	<i>ib.</i>	13th January 1831	...	...	439
2d November 1830	...	...	426				

Extract Letters from the Select Committee at Canton to the Court of Directors ; dated respectively,

Page				Page			
23d October 1830	...	...	440	1st January 1831	...	...	445
15th November 1830	...	...	443	11th February 1831	...	...	<i>ib.</i>
15th December 1830	...	...	444	13th April 1831	...	...	<i>ib.</i>

(B.)—PAPERS relating to the DEATH of Mr. MACKENZIE at CANTON.

Extract China Consultations ; dated respectively,

Page				Page			
4th October 1830	...	...	447	13th October 1830	...	...	462
5th October 1830	...	...	450	18th October 1830	...	...	463
6th October 1830	...	...	456	20th October 1830	...	...	464
7th October 1830	...	...	<i>ib.</i>	21st October 1830	...	...	466
10th October 1830	...	...	458	22d October 1830	...	...	<i>ib.</i>
12th October 1830	...	...	459	23d October 1830	...	...	467



RETURN to an Order of the Select Committee of the Honourable House of Commons on the Affairs of the East-India Company, dated 1st July 1831 ;—requiring,

COPIES of any ORDERS given by the Chief or Committee of the English Factory to the Commanders of the Company's Ships, respecting the bringing up of an Armed Force to Canton, and regarding the using Force to proceed up or down the River, and the Answers thereto ; and also such Orders for sailing from Whampoa as may have been issued to the Company's Ships without taking out a Port Clearance, or Grand Chop.

(C).—PAPERS relating to an ARMED FORCE for the Protection of the COMPANY'S FACTORY at CANTON.

Extracts China Consultations ; dated respectively,

	Page		Page
20th October 1830 ... ..	469	25th October 1830 ... ..	469
21st October 1830 ... ..	<i>ib.</i>	1st November 1830 ... ..	470

(D).—PAPERS relating to ORDERS for SHIPS moving down the River to return the Fire of the Forts, &c. of the Chinese.

Extracts China Consultations ; dated respectively,

	Page		Page
16th November 1830 ... ..	472	19th November 1830 ... ..	473
18th November 1830 ... ..	473		

RETURN to an Order of the Select Committee of the Honourable House of Commons on the Affairs of the East-India Company, dated 8th July 1831 ;—requiring,

EXTRACTS of so much of the LETTERS in their Public and Secret Departments of the Select Committee of Supracargoes at Canton, to the Court of Directors of the East-India Company, as relates to Communications which have taken place between them and the Chinese Local Authorities, whether Mandarins or Hong Merchants, relative to the Redress of Grievances, or the Acquisition or Assertion of Privileges, since the 1st January 1810, and down to the latest period to which the same may be procurable.

(E).—PAPERS relating to the REDRESS OF GRIEVANCES, or the ACQUISITION or ASSERTION OF PRIVILEGES.

(1).—Debts due by the Bankrupt Merchants Gnewka and Ponqua :

Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors ; dated respectively,

	Page		Page
24th October 1810 ... ..	474	21st March 1811 ... ..	475
28th November 1810 ... ..	<i>ib.</i>	10th January 1812 ... ..	<i>ib.</i>

(2).—Heavy Burthens on the Trade :

Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors ; dated respectively,

	Page		Page
26th February 1810 ... ..	476	21st March 1811 ... ..	476

(3).—Company's Ships detained in consequence of a Chinese being killed by an English Seaman :

Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors ; dated respectively,

	Page		Page
28th February 1810 ... ..	477	31st January 1811 ... ..	479
1st March 1810 ... ..	479	10th January 1812 ... ..	480

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- (4).—Company's Ships detained in consequence of the Hong Merchants refusing to satisfy extortionate Demands of the Hoppo :  
 Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,  
     31st January 1811 ... .. 482  
     10th February 1811 ... .. 483
- (5).—Trade of the Season delayed in consequence of the Viceroy directing that Mr. Roberts, one of the Select Committee of Supracargoes, should leave Canton :  
 Secret Department :—Extract Letter from J. F. Elphinstone, Esq. to the Hon. the Chairman of the East-India Company; dated Canton, 23d December 1813 ... .. 485  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 22d February 1814 ... .. 486  
 Extract Letter from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 22d February 1814 ... .. 487
- (6).—First Lieutenant of His Majesty's Ship Indefatigable attacked while on Shore, and severely ill-treated by the Chinese :  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Honourable Court of Directors; dated 10th January 1812 ... .. *ib.*
- (7).—Respecting the embarrassed Circumstances of some of the Hong Merchants :  
 Extract Letters in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated respectively,  
     2d March 1813 ... .. 488  
     31st March 1813 ... .. *ib.*  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 22d February 1814 ... .. 489  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 16th January 1813 ... .. 491  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 16th January 1815 ... .. 492  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 11th March 1815 ... .. *ib.*  
 Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,  
     12th March 1815 ... .. 493  
     9th April 1815 ... .. 494  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 9th April 1815 ... .. *ib.*  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 30th April 1815 ... .. 495  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 12th October 1815 ... .. 496  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 3d December 1815 ... .. *ib.*  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 12th January 1816 ... .. 497  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 23d February 1816 ... .. 498  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 28th January 1831 ... .. *ib.*
- (8).—Attempt of the Chinese to establish a Cohong :  
 Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 22d February 1814 ... .. 499  
 Extract Letter from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 22d February 1814 ... .. 500  
 Extract Letter in the Secret Department, from the President of the Select Committee at Canton to the Chairman of the Court of Directors; dated 23d February 1815 ... .. *ib.*  
 Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 11th March 1815 ... .. 504  
 Extract Letter in the Public Department, from the Select Committee of Supracargoes at Canton to the Court of Directors; dated 26th March 1817 ... .. 505

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Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 19th March 1825	505
Extract Letter in the Separate Department, from the Select Committee at Canton to the Court of Directors; dated 28th January 1830	506
(9.)—Embassy under Lord Amherst :	
Extract Letters in the Secret Department, from the Select Committee at Macao to the Secret Committee of the Court of Directors; dated respectively,	
6th June 1816	508
7th July 1816	ib.
(10.)—Combinations of the Tea Merchants in China :	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 10th December 1819	511
Extract Letter in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 10th January 1820	512
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
11th January 1820	514
29th January 1820	515
(11.)—Frauds, &c. respecting Contract Teas :	
Extract Letter in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 9th February 1828	ib.
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
15th March 1828	516
29th November 1828	517
(12.)—Charges on the Foreign Trade :	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 30th November 1818	ib.
(13.)—Discussions with the Government of Canton, Season 1814-15 :	
Letter in the Secret Department, from the Select Committee of Supracargoes at Canton to the Secret Committee of the Court of Directors; dated 1st October 1814	518
Extract Letter in the Public Department, from the Select Committee of Supracargoes at Canton to the Court of Directors; dated 4th December 1814	521
Letter from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 4th December 1814	ib.
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 24th December 1814	524
Extract Letter, in the Secret Department, from the Select Committee of Supracargoes at Canton to the Secret Committee of the Court of Directors; dated respectively,	
16th January 1815	528
6th February 1815	529
(14.)—Respecting the Company's Ship General Hewitt :	
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 4th Nov. 1816	530
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 8th Nov. 1816	531
Extract Letter in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 4th Dec. 1816	535
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 19th December 1816	537
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 19th December 1816	538
(15.)—Respecting His Majesty's Ship Alceste :	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 8th November 1816	539
Letter from Sir Theophilus T. Metcalfe, Bart., President of the Select Committee of Supracargoes at Canton, to Thomas Reid, Esq., Chairman of the Court of Directors; dated Canton, 16th November 1816	ib.

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Extract Letter in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 4th December 1816	541
(16.)—Discussions with the Government of Canton, Season 1817-18:	
Extract Letter in the Public Department, from the Select Committee of Supracargoes at Canton to the Court of Directors; dated 8th December 1817	543
(17.)—Discussions with the Government of Canton, Season 1820-21:—Chinese killed by an Officer of the Company's Ship London:	
Letter from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 7th December 1820	544
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 29th December 1820	547
(18.)—Company's Trade stopped by the Canton Government, in consequence of some Chinese being killed by part of the Crew of His Majesty's Ship Topaze:	
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
2d January 1822	548
5th January 1822	549
16th January 1822	550
30th January 1822	552
7th February 1822	555
23d February 1822	556
10th April 1822	558
18th April 1822	ib.
Letter in the Public Department, from Secretary W. H. C. Plowden to Joseph Dart, Esq., Secretary, &c., East-India House; dated 7th May 1822	559
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
30th May 1822	ib.
15th July 1822	560
27th March 1823	561
Letter in the Public Department, from Secretary J. N. Daniell to Joseph Dart, Esq., Secretary, East-India House; dated 9th October 1823	562
Extract Letter to the Secret Commercial Committee of the Court of Directors from the Select Committee at Canton; dated 20th November 1822	563
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 16th November 1826	564
Extract Letter in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated 5th March 1827	565
(19.)—Respecting an attempt of some Chinese to extort Money:	
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
12th January 1823	566
31st January 1823	567
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 19th March 1825	ib.
(20.)—Respecting the Conduct of the Chinese Custom-house People at Macao:	
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 16th November 1827	568
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 18th November 1828	ib.
Extract Letter in the Separate Department, from the Select Committee at Canton to the Court of Directors; dated 28th December 1830	569
(21.)—Respecting the Right of the Supracargoes to address the Officers of the Canton Government:	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 17th November 1825	570

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Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 16th November 1827	570
(22.)—Respecting the Use of, and Charges for, Boats between Canton and Macao:	
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
17th November 1825	571
10th March 1826	ib.
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 16th November 1827	572
(23.)—Respecting an Attack on Captain Walker in Canton:	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 8th December 1826	ib.
(24.)—Respecting the Hoppo charging the Supracargoes with Contraband Practices:	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 10th October 1827	ib.
(25.)—Respecting the accidental Death of a Chinese on board a Country Ship:	
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
30th November 1827	573
3d December 1827	574
12th December 1827	575
(26.)—Respecting the Infringement of certain Privileges:	
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 18th November 1828	ib.
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 18th November 1828	577
(27.)—Respecting the State of the Foreign Trade with Canton, and the Establishment of additional Hong Merchants:	
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 28th January 1830	578
Extract Letter (Secret and Confidential) from the Select Committee at Canton to the Chairman of the Court of Directors; dated 31st January 1830	583
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 10th February 1830	ib.
Extract Letters in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
23d February 1830	584
2d March 1830	587
30th March 1830	589
Extract Letters in the Public Department, from the Select Committee at Canton to the Court of Directors; dated respectively,	
18th September 1830	590
28th January 1831	ib.
11th February 1831	ib.
(28.)—Respecting the Trade in Opium:	
Extract Letters in the Secret Department, from the Select Committee at Canton to the Secret Committee of the Court of Directors; dated respectively,	
21st November 1821	591
11th March 1822	593
19th March 1822	594
Extract Letter in the Public Department, from the Select Committee at Canton to the Court of Directors; dated 27th July 1823	595
Extract Letter in the Secret Department, from the Select Committee at Canton to the Court of Directors; dated 6th February 1824	596

## SECOND APPENDIX.

### CHINA PAPERS.

(A.)

#### *PAPERS RELATING TO THE ALLEGED BREACH OF THE LAWS OF CHINA.*

##### EXTRACT CHINA CONSULTATIONS, the 12th October 1830.

WE have this day received, through the Merchants, the three following Proclamations from the Viceroy, the Kwanchowfoo, and the Nan-hae-Heen.

CHINA PAPERS.

“ Governor Le, by Hoo the Kwanchowfoo, concerning foreign ladies coming to Canton, dated October 11th, 1830 :

(A.)  
Alleged Breach  
of Laws.

“ Hoo the Kwanchowfoo hereby issues an edict to command an inquiry, and require answer.

“ On the 24th of the 8th moon of the 10th year of Taoukwang, respectfully, was received a letter from the Governor, on opening which the following statement appeared :

“ Foreign ships coming to Canton to trade, and having foreign\* women on board, it is only allowed, that before the merchant ships enter the port, they should take the foreign women and send them to lodge at Macao; they are not permitted to enter the port. This is a prohibition extremely strict. It is impossible to allow it to be viewed with contempt and opposed.

“ Now I, the Governor, on inquiry, having heard that at Canton there is a Foreign Merchant who has from Macao brought his foreign woman (or wife) to Canton, who dwells

\* The term is not directly offensive, but not complimentary or civil, like *‘my’* or *‘wife.’* The simple word *wife (Tse)* is not used, but *Foo*, which applies to grown servant women, or any woman of advanced years, whether wife or not.

HINA PAPERS.

(A.)  
Alleged Breach  
of Laws.

dwells with him in the foreign Factory. This is manifestly done by the intentional connivance and protection of the Hong Merchants and Linguists. If it be not strictly inquired into, interdicted, and an expulsion take place, hereafter there will be a confused bustle and worse imitation, which will be a great and wicked innovation on the laws and regulations of the Celestial Empire.

"It is necessary to proceed to an extraordinary degree of correction in managing the affair.

"Therefore an Order is framed, addressed to the Foo Yuen, requiring him to assemble immediately with the Nan-hie-Heen, and, taking the lead, to summon together the Hong Merchants and Linguists before their bar, to inquire distinctly who really the Foreign Merchant was who brought the woman? In what Factory at present the said woman dwells? Why the Hong Merchants and Linguists protected, connived, and did not report? Whether the custom-house officers and patrol knew of the occurrence? Let one and all of these questions be inquired into, and answers returned, that I may investigate the facts. At the same time is made the duty of all the Hong Merchants to command the said nation's Chief to take immediately the said foreign woman, and hasten instantly to drive her away back again to Macao. If again there be presumption enough to connive and delay, the said Hong Merchants and Linguists shall positively be all degraded from their rank, prosecuted, and severely punished. Not the least clemency will be shown. Hasten! hasten! &c.

"Receiving this, beside, ordering the Nan-hae to inquire and act, I hereby issue an order to the Hong Merchants to examine immediately—[Here follows an echo of the above.]

"Taoukwang, 10th year, 8th moon, 25th day."

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Hong Merchants' Letter accompanying Governor Le's Order about Foreign Ladies.

"A respectful notification. On the 25th day of the 8th moon (October 11th, 1830) we received a document from the Kwanchow Foo, communicating the Governor's Edict. We now copy it, and send it to you to look at. We pray you, gentlemen, to examine and act accordingly. We also pray you early to send back the foreign woman to Macao, and thus enable us to state back to Government. If she does not go down to Macao, we must incur the Governor's anger and reproof. At this time (the time when the Governor is angry), ask, gentlemen, your hearts if they also would not feel uneasy.

"For this purpose we write, and are with compliments,

"Yours, &c. &c."

Signed by *Howqua*, junior, and eleven other Merchants,

The cypher or signature is not added by the 12th merchant.

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The Governor Le, by Hoo, the Kwanchow Foo, to the Hong Merchants, prohibiting foreigners going about in Sedan Chairs, dated October 11th, 1830.

"Hoo, the Kwanchow Foo, issues an order for the purpose of commanding an inquiry and demanding an answer.

"In the 10th year of Taoukwang, the 8th moon and the 24th day (10th October), I

(A.)

Alleged Breach  
of Laws.

received from the Governor an official letter, on opening which it was as follows: ' It appears that the Foreigners of the various nations coming to Canton to trade have hitherto not been permitted, on the territory of the capital of the province of the Celestial Empire, to go about seated in sedan chairs. Now it is substantiated, that the attendants of the principal office of police have stated verbally to me, on the 21st of the present moon (7th instant), that they had seen a Company's foreign writer, Asha (Astell), who has come to Canton from Macao, publicly entering his Factory seated in a chair. This really is opposing the dignity of the Regulations.

' The Hong Merchants and Linguists dwell very near to the said foreigners: how then is it that they have not in the least been aware of this, examined into it, and put a stop to it? This is a complete disregard of the laws.

' Uniting these circumstances, I immediately write an official letter giving orders, and send the letter to the Kwanchow Foo, that he may immediately take under his direction the Nan-hae-Heen, summon the Hong Merchants and Linguists before his bar, and examine clearly why the said foreigner, who has come from Macao to Canton, enters the Factory seated in a chair? Whether the said Hong Merchants knew of the circumstance, and purposely connived at it or not? Or whether there are among the Hong Merchants some worthless vagabonds who have brooked to flatter, thereby leading to the foreigner's presuming to perform this act of non-conformity to old usage. Beside this, whether or not there have heretofore been any other foreigners going out, and seated in chairs? One by one examine and investigate these things clearly and truly, and according to the facts report back again, that I may investigate to the bottom.

' Furthermore, with severity and earnestness, make responsible and command the said Hong Merchants and Linguists to enjoin the order on the said nation's Chief, that hereafter the said foreigners, going from the Factories to their boats, and from their boats to their Factories, must all, as of old, walk on foot; they must not overstep their proper station or rank, and go about in chairs. If they presume purposely to oppose, immediately shall the said Hong Merchants and Linguists be degraded and examined, without any clemency being extended to them. Hasten! hasten!'

' On the receipt of this, besides causing the Nan-hae-Heen to examine and report back to me, I also, uniting the above circumstances, issue an order to examine into the subject. When the order reaches the said merchants, let them immediately examine clearly why the said foreigner, who has come from Macao to Canton, enters the Factory seated in a chair? Whether the said merchants knew of the circumstance, and purposely connived at it or not; whether there are some worthless vagabonds who have brooked to flatter, thereby leading to the foreigner's presuming to this act of non-conformity to old usage? Besides this, whether or not there have heretofore been any other foreigners going out and in seated in chairs? Examine into these things clearly one by one; then taking with you the Linguists first, go to the Nan-hae-Heen with a prepared statement, and wait till he has managed the business to the utmost. Also present a prepared statement to me, that I may investigate to the bottom. Furthermore, with severity and earnestness enjoin the order on the said nation's Chief, that hereafter the said foreigners, in going from their Factories to their boats, and from their boats to their Factories, must, as of old, walk on foot; they must not overstep their proper station or rank,



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rank, and go about in chairs. If they presume purposely to oppose, immediately shall the said Hong Merchants and Linguists be degraded and examined, without any clemency being extended to them. Hasten, hasten! These are the orders.

“ Taoukwang, 10th year, 8th month, 25th day (October 11th, 1830).”

We refrain at the present moment from any comment on the spirit and tenor of these documents, and merely remark, that in consequence of the Edict respecting foreigners sitting in sedan chairs, which appears to be published with no other object than that of wantonly irritating their minds, we came to the resolution of manifesting, in some degree to the Chinese public, that the insult had not passed unnoticed. We consequently directed the following placard, written in Chinese characters, to be forthwith hung up at the gate of each of our Factories, and gave strict orders to see it carried into effect.

“ To all whom it may concern :

“ In consequence of a certain occurrence, the Select Committee who direct the affairs of an English Company, have in Council

“ Resolved, That hereafter every class of persons sitting in sedan chairs shall be disallowed to enter the gate of the Company's Factory. The porter is ordered to intercept all chairs, and prevent their entering. If any person refuses to listen to him, both the chair and the individual will assuredly be expelled by force. Every one will do well not to try the experiment with his person.

“ Taoukwang, 10th year, 8th moon, 27th day.”

## EXTRACT CHINA CONSULTATIONS,

Dated 16th October 1830.

WE have this day received through the Merchants a chop from the Hoppo, which is a counterpart of the Viceroy's received on the 12th, with the exception of the following concluding remarks made by the Hoppo :

Hoppo Chung's Remarks in communicating the Governor's orders, received  
 October 16th 1830.

“ This coming before me the Hoppo, I, on the receipt of it, examined and find, that, for foreign merchants to bring with them married or unmarried women to Canton to dwell, has already, in the 16th year of Keen-lung (1751), been interdicted by the then Governor Chin, in his official reply, which is on record.

“ Afterwards, because that for foreign ships sailing back, it is difficult to approach Macao to receive families (on board), it was requested to go by the inside river to Whampoa to embark, and again that was rejected and disallowed by the then Governor Le. Since for foreign women to be brought even to Whampoa is contrary to the laws, how can there be such a principle as that of presuming to lodge themselves at (Canton) the capital city of a (province.)”

“ Dated October 13th, 10th year, 8th moon, 27th day.”

EXTRACT

## EXTRACT CHINA CONSULTATIONS,

19th October 1830.

CHINA PAPERS.

(A.).

Alleged Breach  
of Laws.

A PARTY of about eighty, consisting of commanders, officers, and gentlemen of the Factory, this day proceeded to the city gates in charge of the following Address, of which four copies were made, directed to the Viceroy, Hoppo, Foo Yuen, and Iseang Keun, a Tartar general. A party equally numerous, composed of British merchants, and commanders and officers of country ships, had preceded them by about a quarter of an hour with petitions to the Viceroy and Hoppo on the same subject.

Upon waiting about half an hour at the city gates, the Kwan Heep appeared and received the several letters, which he promised should be forthwith delivered, according to their respective addresses. The two parties then joined together and returned to the Factory.

Translation of Chinese Draft of a Memorial to the Governor.

“ The President and Select Committee, Messrs. Baynes, &c. to his Excellency the Governor, &c., for the purpose of clearing up certain Affairs which concern them.

“ A respectful Address:—The English who come to Canton for commercial purposes invariably look up with respect and reverence to the Sovereign \* of the great Tsing dynasty. But among the hundreds of officers of Government appointed, it is unavoidable that there should be an inequality, some good and some bad. Some who, by a thorough understanding of the human feelings, by extending what they themselves like to others, and by a benevolent government, win people's hearts †. On the other hand there are some who, being undiscerning, by an irregular use of authority and power, and who from selfish motives rule in a tyrannical and vexatious manner, lose people's hearts.

“ Is it not one High Heaven that has torn all the nations of mankind? Are they not reciprocally of the same species? It was the same Heaven that gave existence to Manchows and Chinese which gave existence to Englishmen; and with High Heaven there is not a partial heart. China is by Heaven conferred upon the east, and England, by the same Heaven, is conferred on the people of the west. All nations belong to High Heaven; they should not boast against each other ‡.

“ Since Canton is opened as a mart for foreign trade, it is incumbent to receive men from remote parts with civility; they should not be insulted and treated ignominiously.

“ But on the 4th of the 8th moon of the current year, there was an official proclamation publicly exhibited, containing many unfounded and disgraceful assertions concerning foreigners. As for example: ‘ It is directed that the Hong Merchants and Linguists shall continually teach the foreigners, repress their pride and profligacy, and insist on their turning with all their hearts towards civilization, &c. §’ Now, excepting two or three of the Hong Merchants, they are all without any learning or knowledge, and the custom house interpreters are a still more ignorant set. The local Mandarines calling on them to erect themselves into masters to instruct and teach civilization to foreigners,

\* ‘ May he live ten thousand years’ is implied in the name Wan-Luy-Yay, given him in the original.

† These are Chinese ideas and phrases; below, also, there is a good deal of the same.

‡ This paragraph is intended to undermine the exclusive pretensions of the Celestial Empire, and the Chinese Edicts always pretend to treat with tender kindness.

§ Or conversion, renovation.

foreigners, is indeed very laughable. But as the said Proclamation\* says, they must insist on civilizing, &c., it may be seen that the great officers of Government wish to cause the native people to look upon foreigners as all belonging to barbarous nations. This is truly treating with tenderness strangers in the land.

"The said Edict further speaks of foreigners using boys, boat, prostitutes, and language deserving of the utmost indignation; for the English consider the crime alluded to deserving of death, and the public intensely hate such unnatural wickedness. How can the great officers of Government, without any the least proof, publish groundless reports, which they have sought for to bring ignominy and disgrace on all foreigners! How is this exemplifying the principle of treating tenderly strangers in the land!

"Another official Edict has also been issued concerning foreigners sitting in shoulder-carriages, saying, 'that foreigners going from the boats to their Factories, and from their Factories to their boats, must walk on foot, and not overstep their rank by ascending chairs,' &c.

"But the local officers continually issue Edicts, saying that they view natives and foreigners with the same benevolence. Now from the foreign Factories to the merchants' Hongs is a distance of one, two, or three le; if the weather be very hot, or if it rain, or if the individual be wearied and faint, to order the foreigner to walk on foot while the native commonalty sit in chairs whenever they please: how is this viewing natives and foreigners with the same benevolence?

"But further, this Edict says, 'Foreigners must not overstep their rank,' &c. But we know not how the great Mandarines look upon the persons appointed by the English to transact the commerce, of what rank they are. It is, therefore, incumbent on us to tell that our Supracargoes and Writers are all the sons and younger brothers of country gentlemen, of civil and military officers, &c. A certain custom-house domestic gave verbal information against a person he called Yashu (Astell); that Astell is the son of one who has often been at the head of the Company's Court, and who has many years been a Member of the Great Council of the British nation. How talk of his overstepping his rank by sitting in a chair?

"The native salt merchants, Hong merchants, custom-house waiters and interpreters, are all seen in chairs when they please. How can it be said that foreigners must walk on foot? Is this viewing natives and foreigners with the same benevolence!

"There is also a very rude Edict, using the expression, 'foreign women.' Now, according to the laws of England, every man can marry but one wife. The custom of concubinage does not exist, therefore the persons the Edict calls foreign women are the wives of foreign merchants. The Company's servants in management of commercial affairs are required to be in Canton six or more months every year; now how does it accord with reason and the feelings of human nature, to declare that the wife shall not accompany her husband, and quietly reside in the Factory with him! Is this doing to others as we would be done† to? The native officers are allowed to have their families

\* The proclamation was issued by the Governor and Hoppo jointly.

† Chinese phrase.

families in the public offices. Why should the foreign merchant not be allowed to have temporarily his family in his Factory?

"To sum up the whole, if the great officers wish to rule foreigners with justice and benevolence, affairs may go on with tranquillity; but if they wish to insult, tyrannize over, and govern foreign merchants vexatiously, we really do not know where the business will end. The most patient natures may be driven to extremes. What necessity in the midst of a vacuum, and on level ground, to create a commotion and provoke a revolution.

"We write on special purpose, and with great respect lay this before your Excellency, &c.

"Taoukwang, 10th year, 9th moon."

The preceding address is the composition of Dr. Morrison, and the Honourable Court cannot fail to perceive that it is written with a most anxious desire to conciliate the Chinese authorities, at the same time, under a full sense of the indignities which have lately been offered to us; it is, in fact, an appeal to the good feelings of the high authorities to whom it is addressed, and we sincerely hope that it may produce the desired result.

#### EXTRACT CHINA CONSULTATIONS,

20th October 1830.

Howqua then proceeded to communicate the Viceroy's orders respecting the lady now in Canton in the following terms:

"As to women coming to Canton, the old law forbids it. It never can be permitted. The Chief is desired to send away the lady forthwith. If she cannot move immediately, the merchants are to ascertain in how many days she will go. If the Chief says he will not remove the foreign lady in two or three days, if she still be here, soldiers will be sent to the Factory to seize and drive her out. The Chief is to tell the merchants what day she goes."

Howqua next produced two sealed letters addressed by us to the Foo Yuen and Iseang Kuan, which had yesterday been presented at the city gates.

The one to the Foo Yuen was given back to the Kwang Chow Foo, to be returned to the merchants, and by them delivered to the Committee. Howqua explained that the Foo Yuen stated he could not receive any document concerning foreign affairs unless through the Viceroy. These affairs are in the Viceroy's department. His Excellency will receive the chop and answer it. The Foo Yuen further sent the following message through Howqua:

"For more than 100 years the English have traded quietly to the port of Canton. The Emperor has always taken care of the English; the Viceroy also has always been desirous to be friendly towards the English. Whatever the Viceroy ordains regarding foreigners is of equal force with the Emperor's law. The Viceroy cannot disregard the fixed laws. If you foreigners disobey the Viceroy's orders you disobey the Emperor's laws. If you come here you must respect the laws."

The

## 414 SECOND APPENDIX TO THE THIRD REPORT OF THE

The Iseang Keun returned the letter, with a short message, merely stating that it was not his affair.

Howqua having further stated that the Anchasse is ordered by the Viceroy to order merchants to bring the Committee's answer respecting the three Parsees and the lady to-day; the merchants were requested to retire into another room whilst the Committee deliberated on what reply to be returned to their message.

Passing over the first part of Howqua's communication from the Viceroy respecting the three Parsees, with the mere remark, that it is singular that a demand so apparently reasonable should not have been made until it was well known that it could not possibly be complied with, the men having left the country, we proceed to take into our serious consideration the latter part, which is of a much more important nature, namely, where the Viceroy arrogates to himself the power to send armed soldiers into our Factory, and there seize on the person of a British subject.

The admission of such a power would render us liable at every hour and on every occasion to the intrusion of an armed force; it would not only violate the security of the valuable property entrusted to our charge and subject our persons to insult, but it would be a virtual abandonment of the only protecting privilege we possess in China, and one which has ever been considered of the most vital importance. We therefore felt that any measure resembling concession on such a point would be highly injurious to the interests and honour of the British nation, of which we are in this country the representatives. Indeed the mode which the Viceroy has adopted of communicating to us on a subject so important by a verbal message, instead of writing, appears to indicate that he is himself conscious that he is overstepping his authority, and is desirous to try the effect of intimidation before he commits himself in a more formal manner. If this threat were obeyed, or indeed received in silence, in the course of a few days on any other occasion, we might expect to see it put into execution; while on the other hand, if spirited and decisive measures are adopted to resist the mode in which it was conveyed, gives the Viceroy an opportunity of retracting.

We therefore came to the determination, with reference to the abstract question of personal security, to resist this measure of violating the precincts of our Factory, hitherto held sacred, to the utmost extremity, and immediately proceeded to take the necessary measures for repelling the attempt so made.\*

## EXTRACT CHINA CONSULTATIONS,

21st October 1830.

Consultation in full Committee.

THE Merchants having requested an interview with the Committee, we assembled to meet them, when Howqua proceeded to state, that he and Mowqua had had an interview with

\* The measures referred to respecting an armed force for the protection of the Factory are detailed in another Return to the Honourable House.—See Papers (C).

with the Viceroy, in which he entirely disclaimed any intention to act on his threat conveyed yesterday, and that he considered the circumstance of ladies residing in Canton as a thing by no means of sufficient importance to employ force to drive them away.

The Merchants then endeavoured to persuade us, that it was merely an ebullition of angry feeling on the part of the Viceroy, and offered their own security, as a body, that no act of violence should ever be used to molest any person residing in our Factories.

We informed them that, in an affair of so much importance, we did not consider any security they could offer as at all satisfactory, and that the guard would not be removed from our Factory until we received some document from the Viceroy, which would warrant us to consider our persons and property secure from the intrusion of an armed force, while within the precincts of our own Factory.

(A.)  
Alleged Breach  
of Laws.

### EXTRACT CHINA CONSULTATIONS,

23d October 1830.

WE have received, through the Merchants, the following Edicts from the Viceroy and Hoppo, in reply to our remonstrance of the 19th instant.

“ Governor Le, in answer to the Committee’s remonstrance of the 18th instant, dated October 21st, received 23d, 1830.

“ The Private Agents’ remonstrance is joined with the Committee’s in reply.

“ LE, Member of the Military Board, Governor of Canton, &c to the Hong Merchants, requiring them to inform themselves fully of the contents.

It is now authenticated that the English nation’s chief, Baynes, and others, presented a statement, saying:—[Here follows a copy of the letter of the 18th.]

“ Further it is authenticated, that the English private merchants, Innes and others, presented a Statement to the same effect. They both have come before me, the Governor. Concerning these authenticated topics, on examination it is found, that foreigners (E jin) bringing with them foreign women (fanfoo) to Canton province, they (the women) were merely allowed to remain on board ship. Afterwards it was granted that they should land at Macao. This was an extraordinary manifestation of the graciousness of our sage and benevolent dynasty. It cannot by any means be allowed to bring them (foreign women) to Canton. All the various nations of foreigners have for a long period obediently submitted to this.

“ As in the 16th year of K’ien Lung (A.D. 1751-2), the Dutch Foreign Merchant, Laon-l’een, in a boat, brought to Canton a foreign woman, and resided in the Suyfung Hong. At that time the foreign woman was in custody sent to Macao, and there was issued a severe interdict.

“ In the 34th year of K’ien Lung (A.D. 1769) an English foreign merchant, Fee Shun, clandestinely brought a foreign slave woman to reside in E-Wo Factory. Then the said foreign slave woman was sent in custody to Macao, and the Hong Merchants, Linguists, Compradores and government messengers were severally chastised and degraded, as is on record. Afterwards, whenever foreign women were brought clandestinely to Canton, they were always sent back under custody to Macao. Of late,

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(A.)  
Alleged Breach  
of Laws.

for ten or more years, the foreign merchants have all obediently submitted, and there has been no such thing as bringing women or girls to Canton, by which it may be seen that the said foreigners were by no means ignorant of the law.

" Now the said Chief Baynes, how can he intentionally oppose the prohibitions and orders, and bring with him a foreign woman to Canton city, to dwell with him in the foreign Factory! And after having given orders to him, he still again stupidly introduces the case of those in courts taking with them their Mandarin families, &c. A lying specious argument. Does he not know that the native Mandarins must be resident in their courts before they are allowed to have their families with them? If they be deputed on public business, whether for a longer or shorter time, they are not allowed to take their families with them. The law is fixed and manifest. Now the said nation's Chief has received the commands of his King to come to Canton provincial city to trade, which is not different from receiving an Imperial Commission to go on a certain errand. Then even if he does fallaciously compare his case with native Mandarins, he ought not (according to his own showing) to bring his family with him. Still if her (or rather she) remove early to Macao, he will avoid a very, a very severe scrutiny. As to sitting in sedan chairs, originally, it is a small business. But foreigners, being in the provincial city, have not heretofore been allowed to ascend chairs. In going out and in from their Factories to their boats, or from their boats to their Factories, if it ruined, or if they were sick and found it impossible to walk, still it was only proper for them to lean on some support and proceed. They were not allowed to drag in topics and dun with petitions.

" Again, heretofore, in consequence of various foreign nations coming to Canton province to trade, whose languages were unintelligible, and they incapable of understanding the proprieties, laws, prohibitions, and orders of the Celestial Empire, it was difficult (or impossible) for them to avoid pride and profligacy. Further, being apprehensive that the Security Merchants, &c. might be unjust in their dealings, or that traitorous natives might seduce to a violation of the laws, &c. therefore, even since the reign of Kien Lung, every year when the foreign ships in succession came into the port, proclamations containing severe interdicts were published once, really with the intention of looking down and compassionating the foreigners, to prevent their being entangled in the net of the law. This was the design. But the said foreigners in their petition, turn it into a disgraceful insult to them, which really shows their ignorance of the substantialities of the business.

" To sum up all: The interdicts and orders are of old standing, and have not by any means been commenced to day. The said foreigners have only, as they ought, to conform obediently to the old regulations. Then, no doubt, there will be mutual tranquillity without disturbance. If in respect to former interdicts, there be an intentional opposition and disturbance created, it is all brought upon themselves by the said foreigners. It is by no means the case, that the Celestial Empire has not bestowed a gracious compassion. Try and ask: Have these said foreigners passed over an immense ocean, several times ten thousand le (miles) for the purposes of commerce, or to create disturbance? With an impartial mind silently consider, and you will be vehemently aroused (or awakened to a sense of your condition).

" Uniting the above circumstances, an order is hereby issued to the Hong Merchants to enjoin forthwith perspicuously these orders on the said foreigners for their obedience, that

that they may take the foreign woman now living in the Factory, and immediately order her to be returned to Macao.

“ Moreover, order that hereafter, whether moving or at rest, there must be in all cases an implicit obedience to the laws and regulations of the Celestial Empire. The foreign women coming in ships are only allowed to reside temporarily at Macao. It is not allowed that they should be brought to Canton. Further, it cannot be that in the provincial city (foreigners) may ascend and sit in Chinese shoulder-carriages. If there be presumptuous intentional disobedience, all the offenders will be involved in a severe scrutiny. Hasten, hasten ! These are the orders.

“ Taou Kwang, 10th year, 9th month, 8th day.”

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(A.)  
Alleged Breach  
of Laws.

Hoppo Chung in reply to the Committee's remonstrance of the 18th instant, and the remonstrance of private British merchants of the same date. Issued October 22d ; received 23d, 1830.

“ CHUNG, Imperial Commissioner of Duties at the port of Canton, &c. &c. to the Hong Merchants, requiring them to make themselves fully acquainted with the contents thereof.

“ It is authenticated, that the English nation's Chief, Baynes and others, have presented a foreign petition written in the Chinese character, saying—[Here follows a copy of the document of the 18th.]

“ And it is authenticated that the said nation's Private Merchants, Innes and others, presented a foreign petition with a Chinese translation, saying—[Here follows a copy.]

“ In consequence of these, examination being made, it is found that the taking off the interdict against ingress from the Southern Sea, and permitting foreigners to a commercial intercourse, occurred at the commencement of the Dynasty, from which to the present is a hundred and some scores of years, during which period, for the foreigners of various nations who came to reside at Canton, there has been no affair which has not had old regulations, and there has been no man who did not obey the fixed laws; for the language and the dress of natives and foreigners are entirely different; and the Celestial Empire's usages are all honourable and strict. How is it possible to suffer the want of a marked difference being made between those inside and those outside?

“ Since the said foreigners come to trade, it is only incumbent on them to obey implicitly the orders of Government. If they dislike the restrictions as difficult to be endured, it is perfectly competent to them not to take the trouble to come so great a distance.

“ All the great officers of government in Canton look up and realize (his Majesty's) desire to treat foreigners tenderly, and they continually stoop to manifest kindness to those who come; but in matters which regard prohibitions, how can they in the least indulge in remissness.

“ Now, according to what the said Chief Baynes, and others have stated, they say, that on the 4th of the 8th moon a Proclamation was put up, containing language intended to degrade and insult the said foreigners.

“ Heretofore it has been the rule, concerning foreign ships entering the port, for my office to examine the old records, and uniting with the Governor, issue proclamations to be pasted up against the foreign Factories. From the 57th year (A. D. 1792) of Kien Lung till now, it has been in successive years conformed to. The practice was by no means commenced this year. Heretofore the said nation's trading Foreign Merchants



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never heard that it was designed to treat with insult and disgrace them. The said Chief has resided in Canton many years, and has been constantly going out and into the foreign Factories. How did he remain ignorant of the Proclamations which were put up according to usage, and in past years never observe the disgrace and insult, but only this year open out his irregular crazy proceeding? There must be some native Chinese traitor in the concern, deceiving and fanning the flame.

"The language of the said Chief and others is fallacious, and let you alone, you exclude yourselves from the life which nature gives; as, for example, what is said in the petition about overstepping station or rank, and ascending sedan chairs.

"The said Foreign Merchants have resided in Canton city for many years past. In past days, when going from the Factories to the boats, and from the boats to the Factories, did they ascend chairs, or did they walk on foot? Were there no times of hot weather or of rain then? Did it never happen that men's bodies were wearied then? If formerly the said foreigners had ascended chairs, and at this time they were interdicted and stopped, then perhaps there would be a semblance of a little tyranny. But if originally they walked on foot, and now suddenly ascend shoulder\* carriages, is it not overstepping their station?

"The important ground of the provincial city is exposed to the view of every eye, and inside native people may not be menially employed by outside foreigners (or barbarians). The said Chief and others say, that the person Astell, who sat in a chair, is the son of a member of their National Legislature. When that Foreign Merchant lives in his own country, he is no doubt the son of an honourable officer; but when he comes with merchant ships to Canton, and is not proceeding to Court with tribute, here no doubt he must merely be viewed as a trading Foreign Merchant. Since the said Chief and others understand what is reasonable and just, how is it they will not apply their thoughts, and awaken to a sense of propriety."

"As to what the petition says about foreign women residing in the Factory. Heretofore when foreign women came to Canton province they were originally allowed to reside temporarily at Macao. If they were brought to Canton city, it was for a long time past an offence against the statutes of the local government. In the 16th and 34th years of Keen Lung (A. D. 1751 and 1769) there were cases in the Courts of foreign women and slave (or servant) women being brought up clandestinely to Canton; all of whom were by the then Governors sent back in custody to Macao. There are papers which may be examined.

"The said Chief and others, in attending to the commercial affairs, have their fixed residence at Macao. Canton is only their temporary residence. Every day (or ordinarily), by requesting a permit, they can go up and down, and perfectly attend to their families. What necessity is there for persons with different dress and different language (from the natives) to excite a commotion in the Factories, and, by a possibility of one

\* This seems to refer to the low sedan chair, called the Peking Chair.

† In the Governor's reply, the interdict was against ascending the shoulder-carriage, or sitting in a sedan chair; but if sick, and not able to walk, the foreigner might lean with his hands or arms upon the yu. What yu means in this connection it is not easy to say: it denotes "a mortar," held up by the hands, and may probably be the name of some mean bamboo hurdle. But he is not to ascend or sit, but hold on by this hurdle; which statement it is difficult to make sense of.

one in 10,000, create a bloody quarrel, and make a disturbance which would turn the subject into matter of infinite after-regret. Let the said Chief and others consider intensely their own persons and families, for the safety of whom it is very incumbent on them to take precautions, (and not bring them into places of danger). To sum up the whole, the said Chief and others having passed over the ocean so great a distance to come and trade, our Sacred Dynasty, which benevolently nurtures 10,000 states, doubtless will not in the least degree view them in different ways. But the Hwa and the Ee, the flowery natives and the barbarian foreigners, must be distinctly divided; between those inside and those outside there must be erected a great boundary\*. Heretofore there has been no precedent for entering the Factories in shoulder-carriages, therefore walking on foot is no harsh treatment. Heretofore it has not been the rule for foreign women to reside in Canton; therefore sending them to Macao is really the way to give entire security.

"The said Chief and others must, as is proper, consider the subject deeply over and over again, and be careful not to let other people befool them, vainly spending their angry breath in restive conduct, which may turn to self cutting off the road of commerce.

"Uniting these things, an order is hereby issued to the Hong Merchants to enjoin these commands on the said Chief and others, for their obedience thereto.

"Oppose not. A special Edict.

"Taou Kwang, 10th year, 9th m., 6th d. (A. D. October 22d, 1830.)"

A Proclamation, containing ideas much the same as the above, is pasted up at the Hong Merchants' Hall. It is issued in the united names of the Governor and Hoppo, and Iseang Keun. Date, October 23d.

### EXTRACT CHINA CONSULTATIONS,

25th October 1830.

WE have received from the Merchants the following Edict from the Iseung Keun, in reply to the remonstrance addressed to him on the 19th instant.

"King, the Iseung Keun, in reply to the remonstrances of the Committee, and of the private British Merchants, of the 18th instant; dated 23d October, received 25th October 1830.

"King, the Iseung Keun (or Commandant) of Canton, hereby replies officially to the two petitions of the English Foreign Merchants, Baynes, Jardine and others.

"On examination I find that all Foreign Merchants coming to Canton to trade ought to obey the usages and regulations of the Celestial Empire. This has long been a fixed rule; and all Foreign Merchants, with reverence and obedience, have also hitherto long yielded respectful submission. The great officers appointed on the borders have likewise, from time to time, explained clearly the prohibitions and commands, and issued proclamations and perspicuous edicts; and fearing that the various Foreign Merchants

\* A bank, or dike, to fend off.

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(A.)  
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chants were not yet able to understand fully, they have also commanded the Hong Merchants clearly and minutely to enjoin their edicts, and to apply themselves to cause that all the foreigners should know the laws of the Celestial Empire; and that traitorous natives also should not dare, in the midst of these circumstances, to excite disturbances. This was to quiet the feelings of foreigners. These proclamations are really to show tenderness to foreigners, and to soothe and tranquillize them; but the said foreigners, ignorant how to be excited to gratitude, turn round, and because of the proclamations disallowing them to bring foreign women with them to Canton provincial city, and disallowing them to sit in sedan chairs, whining,—whining, present petitions. I, the Iseung Keun, have no connection whatever with the management of foreign affairs; but as it is authenticated that a petition has been presented to me on these various topics, I have examined, and find, that hitherto, foreign women were only allowed to be in the Macao ships, and to reside temporarily at Macao\*; they have never yet been permitted to be brought up by others to Canton provincial city.

“As to the various Foreign Merchants trading, after ascending the shore from their ships, it is incumbent on them to keep themselves quiet, and wait in their Factories, staying till their merchandize is disposed of, and they have purchased and set in order new merchandize. Then it is incumbent on them immediately to get into their ships, return to Macao, and thence return to their country. Hitherto it has not been permitted to sit in sedan chairs. The fixed regulations being thus, how can (it be allowed) to dun with disputatious petitions.

“Besides, the words contained in the petitions are very wild and fallacious; but in consideration that they are foreigners, and that their language and notions of justice are different (from those of natives), I do not inflict severe chastisement; since it is authenticated that they have also petitioned the Governor, the Foo Yuen, and the Hoppo, they ought to wait till they have replied by proclamation for their commands to be obeyed.

“Dated Taou Kwang, 10th year, 9th m. 7th d. (October 23d 1836.)”

Several days having now elapsed since the threat of the Viceroy to send an armed force into our Factories was intimated to us, and although the Merchants have solemnly assured us that no such threat would ever be put into execution, yet no written document has been produced to satisfy our minds on so important a subject, we therefore determine to address the following letter to the Viceroy:

“To his Excellency the Viceroy of Canton.

“ON the 20th of this month the Hong Merchants came to us in a body, and stated that they had a message to deliver from your Excellency, which they were ordered to make known to us in the most formal manner, requesting that the words as they fell from their mouths might in their presence be committed to writing; this was done, and they have, in consequence, been placed upon our records. We were struck with the greatest surprise on their stating, that your Excellency had commanded them to inform us, that in two or three days an armed military force would be sent into our Factories to seize the person of a British subject. We had for a long succession of years felt satisfied, that  
while

\* There is a confusion in the original, arising probably from the people employed in the Iseung Keun's office being but ill acquainted with the affairs of foreigners.

while in our Factories, peaceably conducting our commercial transactions, our persons were secure; indeed, we have been confirmed in this feeling by the conduct of all former Viceroys. It is only under assurances of perfect security that trade can possibly be carried on; our lives and persons threatened in so formal and sudden a manner, what remained for us but instantly to endeavour to protect ourselves. Self preservation is the first principle. The feelings of distrust and alarm that this message of your Excellency has created in our minds, and in that of all the foreign community, can only be allayed by a strong assurance from your Excellency, that the persons of all British subjects in our Factories are secure, and these buildings inviolate from the intrusion of an armed force.

“ Canton,  
25 October 1830.”

Signed by the President.

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(A.)  
Alleged Breach  
of Laws.

# EXTRACT CHINA CONSULTATIONS,

Dated 28th October 1830.

THIS afternoon the Senior Merchants waited on the President, and delivered to him the following Edict from the Viceroy, at the same time renewing, in the strongest terms, their assurances, that no molestation would be ever offered to any persons resident in our Factories.

“ Reply of Governor Le to Committee’s note of October 25th, dated 27th, received evening of 28th, 1830.

“ Le, Member of the Military Board, Governor of Canton, &c., to the Hong Merchants.

“ It is authenticated, that the English nation’s Chief, Baynes, and others, have presented a statement, saying—[Here follows a copy of the Committee’s note of the 25th instant.]

“ This being authenticated, coming before me the Governor, I have examined, and find that in consequence of an Indian Foreign Merchant in a foreign Factory, beating to death a Dutch captain, and it being right according to law that the affair should revert to the local officers to examine into it, report to their superiors, and manage, the said Chief and others delayed to deliver up the murderers. Further, there was an opposition to regulations, in bringing up a foreign woman and girl to reside in the Canton Factories.

“ The said Chief and others sent statements, with a coloured explanation, therefore I ordered the Hong Merchants to command, solemnly, the said Chief and others to obey implicitly, and adhere to old regulations. That they must not intentionally disobey and bring upon themselves the guilt of perverseness.

“ The language used about sending troops to drive out and expel,\* was under an apprehension

\* *Pae Ping, Kew chuh*. The *Kew chuh* is a very harsh phrase, used in the first document; it means, driving cattle out of a field, and pigs out of a yard. The next word used in reference to the foreign woman was *yu*, to send under custody of the police. The word used below is *foo*, which denotes going in a respectful manner.

apprehension, that the said Foreign Merchants would be pertinaciously stupid, and not awaken, and from first to last would oppose, so as eventually to make it necessary to act thus. Therefore, ~~was~~ pointed out clearly the ultimate calamity, to cause them to know that which would arouse and awaken them. If indeed they themselves become penitent and reform (or alter their conduct), what necessity is there for them to be afraid of the majesty of the military?

"The Celestial Empire benevolently nourishes, righteously rectifies and gloriously magnifies a vast forbearance. How is it possible, that for driblets of men in a petty, petty, barbarian \* Factory, troops should be moved to exterminate!!! But the said Chief and others could not explain this intention (in the Hong Merchant's threat), they stupidly listened to the teaching of traitorous persons, and forthwith presumed, in opposition to inhibitions, to order guns and arms to be brought up, and arrange them at the door of their Factory. This is still more wild and erroneous; only try to think, if indeed the said foreigners had among them an illegality of a very important nature, I, the Governor, would instantly fly to report to the Emperor, and the Government troops would gather together like clouds, exterminate them, and leave a perfect vacuum. How could their guns and arms they have brought presume to oppose such a force.

"As to what the statement sent says, that they have prepared to defend themselves, is also very foolish; again they say, that heretofore, for a long time, they have had confidence in the management of business, &c. If for a long time they have had confidence, then they ought not, in what has long been disallowed, to disobey and act irregularly.

"This year the said nation's foreigner, Wei Lin Luce Chay, and others, were shipwrecked on the coast of Fokein, I reported to the Emperor concerning them, gave them food to eat, and delivered them over to the said Chief to send them home. How can it be supposed that Foreign Merchants at Canton tranquilly trading, will not be protected.

"I, the Governor, in transacting public affairs have never once failed to keep faith with the people. After this explicit order, it is necessary immediately, and hastily, take the guns and arms, and send them back to the foreign ships. The woman and girl brought must be instantly sent to Macao, then what is gone by may be passed over without a deep injury.

"Do not uselessly be in doubt and fear, and still go on with pride and fright, like a vicious horse; moreover, it is incumbent on you to lead and induce all the foreigners hereafter, for ever to obey the laws and regulations, that none may presume to disobey. If you remain still perversely obstinate and unwilling, assuredly a report will be presented to the Emperor, and an order received to cut off the commerce. It will also be impossible for me, the Governor, to stoop to protect. Let the said Chief be careful that he does not, by his individual mad opposition, involve all foreigners; the crime will really have one to revert to.

"Uniting these things, I order the Hong Merchants to enjoin immediately my orders on the said chief, to obey and hasten to take the guns and arms at the Company's Factory,

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\* It is impossible by the word *foreign* (le) to give the spirit of this sentence.

Factory, and the same day remove them to Whampoa, and to make haste and send back to Macao, the woman and girl that he brought, to abide in his station tranquilly trading, and by no means stupidly listen to deceiving reports, irregularly exciting terror and fear, with wilful opposition to prohibitions and orders, for so doing he will hereafter repent without effect. Hasten! hasten! These are the orders.

“ Taou Kwang, 10th year, 9th m. 11th d. (27th October 1830.)”

The following Addresses to the Viceroy and Hoppo having been approved of by the Board, will be forwarded to their respective addresses as soon as they are translated.

“ To the Viceroy of Canton.

“ WE have received from the Hong Merchants your Excellency's letter on the subject of foreign women coming to Canton, and on foreigners not being permitted to ride in sedan chairs. In regard to the former we are told, that it is contrary to the laws of the Celestial Empire for foreigners to have their wives residing with them. But the public records of foreigners at Canton show that their wives did formerly reside with them: the custom has fallen into disuse for many years from foreigners not wishing to bring them to this city. In all civilized nations it is ordained that men should live with their families, and it is invariably found, that those who do are the most peaceable and least inclined to create disturbances. But if such be the law of the Celestial Empire, how comes it that several foreign women did reside in Canton for many months last season when the ships were here: no prohibition then existed, or it would have been promulgated; the thing was publicly known, no concealment was attempted, and no disturbance or confusion ensued; to suppose that such a thing could happen unknown to the police, or to your Excellency, is what we never can believe. Was the law then suspended (if such a law does exist) only to be now put in force to irritate and insult with more effect; for what can irritate more, or make men more reckless of what acts they commit, than to endeavour to tear from them their wives and families. With respect to foreigners not being allowed to ride in sedan chairs in a provincial city, the law and custom are much at variance, for we ourselves have at different times for the last twenty years ridden in sedan chairs when going to merchants' houses, and our predecessors have done the same time immemorial, even to the palace of the Viceroy. If a man be sick, and cannot walk, and yet be obliged to attend a merchant's warehouse, how is he to get there if boats cannot be used, unless in a chair. Your Excellency cannot surely mean that he is to be hoisted on a man's shoulders, or conveyed in a basket such as pigs are carried in; we know nothing else he could have recourse to, and we know well what a disturbance such a sight as this would cause, and we dread the consequences that might ensue. Your Excellency is said to see into the heart of his Imperial Majesty, but we will not be persuaded that a prohibition so devoid of all compassion or benevolence, so unworthy the character of a civilized nation, can emanate from so wise a Sovereign. Are we permitted to come here to trade, to disperse our money, and yet not be permitted to shelter ourselves from the heat of the sun or the inclemency of the weather; as well might we be told that the laws of China in a provincial city forbid us to wear a hat or use an umbrella. Let foreigners be treated, not

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like

like dogs, but human beings, and they will be grateful, and nothing need be feared from traitorous natives; but drive them to extremities by unnecessary insults and ridiculous prohibitions, and they will rebel. A thing trifling in itself becomes of importance if used as a mean to insult and inflame.

We beg, from the wisdom of your Excellency, that these absurd and highly irritating orders may be cancelled and pass into oblivion.

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“ To his Excellency the Hoppo.

“ WE have received from your Excellency an Edict embracing several topics, to which we now reply. In regard to the insulting and highly irritating proclamations pasted up against our Factory walls, as well as to the absurd prohibition now for the first time attempted to be enforced against foreigners riding in chairs, your Excellency remarks, ‘ How is it that the said Chief Baynes and others have only now found out these insults, and have only now discovered that the weather is hot, and their bodies wearied ? ’ We have to observe to your Excellency that we have long patiently borne many grievances and prohibitions imposed upon us by the local government, which we are satisfied never emanated from the heart of his Imperial Majesty. But forbearance is not appreciated, and has its limits. We hear a great deal in the Edicts of your Excellency and the other authorities of Canton, about the compassion, the tenderness and the benevolence shown to foreigners in this country; but where is the foreigner who can say that these virtues so much vaunted by the local authorities in their public proclamations have ever been extended to him in Canton; they are found on a paper in official documents, but no where else. In regard to riding in chairs, we have ourselves ridden in chairs at Canton for the last twenty years, and our predecessors have done the same for time immemorial, even to the palace of the Viceroy.

“ The sovereigns of England and China are on terms of amity, and consequently commerce takes place between the two kingdoms, a commerce equally advantageous to both, certainly not more so to England than to China. Are we permitted then to come here to trade, to disperse our money, and not permitted to shelter ourselves from the heat of the sun, or the inclemencies of the weather in our necessary excursions from our Factories to the merchants’ warehouses; the prohibition now for the first time attempted is ridiculous, and never will we believe it to emanate from the Emperor of China, who, when these things are represented to him formally, as perhaps they may be, will not, we are confident, sanction unnecessary insults and prohibitions attempted to be imposed on foreigners by the local government, for no other purpose that we can perceive but to drive things to extremities.

“ Your Excellency says, there must be traitorous natives concerned with us who fan the flame; but we must tell your Excellency we want not the aid of traitorous natives to make us know what is due to ourselves when attempted to be trampled upon.

“ Let foreigners be treated, not like dogs, but human beings, and they will be grateful, and no fear need be entertained of traitorous natives; but drive them to extremities by unnecessary insults, and absurd prohibitions, and they will rebel.

“ In regard to foreign women coming to Canton, the public records of foreigners show,

show, that foreign women did formerly reside with their husbands in Canton; the custom has fallen into disuse from foreigners not bringing their wives with them. The law of nature ordains that a man should live with his wife and children, and the attempt to make a law subversive of this is impossible. A man with his family is more disposed to be peaceable than others without these ties; and it is the custom for our wives to remain at home and employ themselves with their children, and not to make disturbances. But if such a law does exist, forbidding foreign women to come to Canton, how is it that last season, when the ships were here, several foreign women resided in Canton; no notice was taken of it, no concealment was attempted, it was publicly known. Are we to suppose that the police and authorities were ignorant of this fact? The thing is impossible. Does a law then exist which can be suspended or put in force as may suit the purposes of the local government? We know, and have seen enough to be convinced, that many things are done at Canton by the local authorities which, if known to his Imperial Majesty, would draw down his vengeance upon them for risking the harmony which at present subsists between two great kingdoms, by driving foreigners to extremities by oppression, when a contrary treatment would make them peaceable and contented."

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EXTRACT CHINA CONSULTATIONS,

Dated 29th October 1830.

"To His Excellency the Viceroy of Canton.

"We have received a letter from your Excellency, intended to convey the assurances of our personal security within our Factories, and that they shall be free from all intrusions on the part of the Government, we trust that your Excellency's future conduct will prove the sincerity of your assurances of protection, and will prevent the necessity of resorting to measures to protect ourselves,"

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EXTRACT CHINA CONSULTATIONS,

Dated 1st November 1830.

We have this day received the following Edict from the Viceroy in reply to our short address, recorded on the 29th.

"LE, Member of the Military Board, Governor of Canton, &c. to the Hong Merchants.

"It is authenticated that the English Chief, Baynes, and others have presented a statement, saying,—[Here follows a copy of the Note of October the 29th.]

"This coming before me, the Governor, I decide according to it, that since the said Chief and others have become penitent, and are awakened to solicit protection, I, the Governor, assuredly will not admit the principle of moving the military to surround and expel them.

"According to the contents of the petition, I write these circumstances, and forthwith order the Hong Merchants immediately to enjoin these commands on the said Chief and



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and others for their obedience thereto. Hereafter they must implicitly obey the laws and regulations of the Celestial Empire.

"They must not in the least disobey, but set an example and induce all foreigners, every one of them to keep in their proper stations, and then they will not lose the road of commerce for remote men (*i. e.* not cause the whole foreign trade to be interdicted).

"Moreover, let these orders be enjoined on the foreigners of all nations, that they may as a body yield obedience thereto. Oppose not. These are the commands.

"Taoukwang, 10th year, 9th moon, 16th day."

## EXTRACT CHINA CONSULTATIONS,

Dated 2d November 1830.

WE have this day received the following Edict from the Viceroy:

"From Governor Le, ordering four small guns to be sent away from the Company's Factory, dated November 1st, 1830.

"LE, Member of the Military Board and Governor of Canton and Kwang-se, hereby issues an order to the Hong Merchants, with which they are required to make themselves fully acquainted.

"It appears that the English Foreign Merchants had brought and laid up guns in the Company's foreign Factory. Yesterday it was authenticated that the Nan-Hae-Heen and the said Merchants reported that the said Foreigners, on the 15th day of the present moon (October 31st), took two large brass guns and muskets, and other military weapons, and removed them back to Whampoa.

"But on examination it was authenticated, on a former day, by the Report of the Military Station, that they altogether brought up two large guns and four small brass guns. Now there have only been taken away two large guns; there are still four small brass guns, concerning which no report of their having been removed has yet been authenticated. These are military weapons, and without regard to whether they are great or small, they all ought not to be kept in the Factory.

"Since the said Chief himself says that he has confidence in Government, it is incumbent on him immediately to take the four small brass guns, and transport them altogether back to Whampoa.

"Uniting these circumstances, I forthwith issue this order. When the order reaches the said Merchants, let them immediately enjoin it on the said Chief and others, that in obedience thereto they may quickly take the four small brass guns, and on the same day remove them back to Whampoa on board the foreign ships, and let them (the Merchants) again present a prepared report of the circumstance of removing them. It is not allowed to delay and gloss over. Hasten! hasten! these are the orders.

"Taou Kwang, 10th year, 9th moon, 16th day."

The guns alluded to in the foregoing edict were three small brass guns belonging to the cutter, and were retained in Canton, in order to be replaced on board her on her return to Macao. Feeling anxious, however, that there should be no apparent want of confidence

confidence or good faith on our part, we assured the Merchants that they should instantly be sent away, and that they should be informed of the circumstance as soon as they were gone.

CHINA PAPERS.

(A.)  
Alleged Breach  
of Laws.

EXTRACT CHINA CONSULTATIONS,

Dated 13th November 1830.

THE Hoppo Chung, in reply to the Committee's letter, October 28th, 1830; received November 13th, dated the 9th.

“ Chung, Hoppo, &c. to the Hong Merchants.

“ It is authenticated that the English Nation's Chief, Baynes, and others, have presented a statement, as follows:—[Here follows a copy.]

“ This coming before me, the Hoppo, I have examined, and find that the said Chief and others before presented a petition, in reply to which I explicitly commanded the Hong Merchants to order the said Chief and others to adhere implicitly to the old regulations, that they must not intentionally oppose prohibitions.

“ Now the said Chief and others have again sent in a whining, dunning, disputatious representation. The contents of the petition are not originally worth any further notice or persuasion, but indulgently considering that the said Foreign Merchants have come 10,000 miles to trade, and it involves their very means of existence, I would exercise the liberality of our holy and wise Dynasty, which is as expansive as Heaven itself, and for the sake of the said Chief and others stoop to point out their stupidity.

“ In their petition they say that the insulting proclamation suspended against the Company's Hong, has been reluctantly borne with for many years by Foreign Merchants, &c. Know they not that the Celestial Empire benevolently cherishes and justly corrects. I was only apprehensive that the said Barbarian Merchants would throw themselves into the net of the law, and therefore previously promulgated instructions, and stooped to show the way of preserving all entire. I by no means harboured the least intention of harsh treatment.

“ Besides, the proclamation stuck up against the Company's Hong has been there annually for more than thirty years. It did not commence to-day. As they say the language of the proclamation was rather ignominious, why did not the former Barbarian Merchants early indulge their anger, and with hearts, dead to the subject, cease to come again to knock head at the service for an open market! Why did they cross an immense ocean, through numerous dangers, and every year come. It may be seen that the said nation's\* native spirit depends solely on trade for the necessaries requisite to support life. Woollens, camlets, clocks and watches are things which China does not find necessary, but tea and silk are articles which the said nation cannot possibly do without. It is by no means the case that the former Foreign Merchants forced themselves to bear patiently, but the fact is, they clung to the means of getting a livelihood (or supporting existence).

“ Now

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\* Native spirit; usage or habit.

CHINA PAPERS.

(A.)  
Alleged Breach  
of Laws.

"Now the said Chief and others disobey, and offend against the orders of Government, and on every subject croakingly boast.

"The Governor, and I, the Hoppo, have already met, and according to the facts reported for the hearing of the great Emperor, although he cherishes tender thoughts intensely, how can he extend indulgence to violators of the law? The state of things must provoke his holy anger to inflict severe chastisement, and possibly\* to interdict the commerce, not allowing it to come from the south.

"Although I wish to keep things entire, I have no opportunity afforded to confer compassionate kindness. This is caused by the said Chief and others themselves cutting off the means of existence, and involving all the Foreign (or Barbarian) Merchants throughout the whole of their country. The said Chief and others must, as is incumbent, over and over deeply meditate, and become aroused and awakened to repent of the past, and guard against the future. Do not scheme for selfish convenience, and obstinately adhere to your former talk. Thus, with quiet mind, keeping in your station, you may enjoy the favour of benevolent rule. Let the said Chief and others look up, and realize these thoughts. Uniting these things, an order is hereby issued to the Hong Merchants to act in obedience to the tenor of this, and to take the circumstances and principles contained in the above commands, and addressing themselves to the Chief, clearly and distinctly proclaim them to him. It is absolutely necessary that backwards and forwards and round about the matter be explained, and be caused to report intensely! Intensely! A special Edict.

"Taou Kwang, 10th year, 9th moon, 24th day (Nov. 9th, 1830)."

### EXTRACT CHINA SECRET CONSULTATIONS,

Dated 30th November 1830.

THE following document has this day come into our possession, and although the mode in which it was obtained renders it impossible to place implicit confidence in its authenticity, still, as far as can be gathered from internal evidence, it leads us to believe it to be genuine. If so, it is a good specimen of the manner in which reports are made to the Imperial Court from distant provinces of the empire, and tends to show how plausible a statement may be drawn up on any subject, where all regard for truth is thrown aside.

"Memorial from Iseang Keun, Governor, Foo Yuen and Hoppo to the Emperor, relative to Foreign Affairs, written early in November 1830, and Copy received from a private hand; the Copy received is not dated.

"KING, the Iseang Keun, Commandant of Canton, Le, Governor of Canton and Kwongsc provinces, Loo, Foo Yuen of Canton province, and Chung, Hoppo of Canton, kneel and report to his Majesty for his information.

"On examination it appears, that all the Foreigners of various nations, who, crossing the sea, come to Canton to exchange goods, reside during the spring and summer of every

\* One to ten thousand.

every year at Macao. For the autumn and winter the import and export goods being all at Canton, where the Hong Merchants exchange them, they then remove and reside at Canton, in the foreign Factories; foreign women brought with them were formerly permitted only to reside on board the foreign ships; in the 16th year of Keen Lung (A. D. 1751), they were first permitted to reside at Macao; but as yet no permission had been granted for them to be brought to Canton. In the 34th year of Keen Lung (A. D. 1769), Feishin, an Englishman, brought up a foreign woman to reside at Canton; the foreign woman was taken in custody back to Macao, and a strict prohibitory proclamation was issued. There are still records hereof that can be examined.

"After the 34th year of Keen Lung there have been reports of foreign women being clandestinely brought to Canton, or residing there in secret for several days; but it has been without any person being aware thereof; and they have afterwards been taken back to Macao; when this has been the case there are no records that can be examined.

"It appears on inquiry, that in the spring of the present year, foreign women came to Canton and resided here secretly; but just when orders were being issued to the Hong Merchants to drive them away, they returned to Macao. Now the English Chief, Baynes, has again brought a foreign woman to Canton, to reside in the Company's Foreign Factory; and, moreover, the said Foreign Merchants, coming on shore from their ships, have entered their Factories sitting in sedan chairs. Your Minister Le, issued orders to the Hong Merchants immediately to drive out the foreign woman, and bid her return to Macao; and not hereafter to permit Foreign Merchants, when entering their Factories, to get into sedan chairs or sit in shoulder-carriages. It is authenticated that the said Chief and others immediately thereon, came to the four offices of us, your Ministers, and at each presented a petition, praying for foreign women to reside in their Factories, and for permission to be granted to use sedan chairs; the language of the petitioners was not clear and perspicuous, and the phrasology was far from humble. We, your Ministers, have all, with strictness, rejected their petitions, and ordered them still to obey old regulations, and not in the least oppose them.

"The said Chief and others having heard it falsely reported without, that soldiers were to be appointed to surround and expel the Foreign Merchant and foreign woman, became fearful and suspicious in their minds, and sent a general letter to all the ships anchored at Whampoa, ordering above one hundred sailors, under cover of night, to take several guns, muskets, &c., conceal them in the hold of a small vessel, and clandestinely enter with them into the Foreign Factories in Canton provincial city. The military stations immediately got information of it and reported; and we, your Ministers, instantly gave secret orders to the officers of the military stations, on land and water, not to make the least noise or motion, but to keep watch with increased vigilance, and ordered the Foo and Heen Magistrates, and the Wei-Yuen, all to appoint trusty attendants in different places, to examine carefully and suppress disturbance, and not permit native traitorous Chinese to hook on with, instigate, and befool foreigners and create riot; that hereby the Merchants and populace might be prevented from becoming alarmed or suspicious. We at the same time ordered the Hong Merchants and Linguists to speak sternly to the said foreigners, demanding why they secretly brought guns, &c. to their Factories; and what were their intentions? It is authenticated

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ticated that they declared, that it was really because they had heard that soldiers should be immediately appointed to take the foreign man and foreign woman, and drive them both out; that in the fear and excited feelings of the moment, they took the muskets and guns which had been brought in their ships, for the defence of their persons, and brought them up during the night, and that they really did not know that guns were things which were not permitted to be brought up. On examination, we, your Ministers, find, that the said Foreigners, in coming up to Canton and going down to Macao, have hitherto been permitted to carry two or three muskets with them to protect themselves against thieves; this is really not prohibited: but as to the guns on board the ships, for many years they have not been permitted to be brought to the Factories at Canton. We again strictly commanded the said foreigners speedily to take the guns and muskets and immediately carry them back to the ships, and to make the sailors return quickly to Whampoa. After the lapse of some days, the said foreigners took the muskets and carried them away, and the sailors scattered and returned, but the guns still remain planted within the gate of the Foreign Factory; and the Hong Merchants were requested to solicit for them, that a short time might be granted before the foreign woman was again ordered to Macao. We, your Ministers, considering that the said foreigner, Baynes, in the first place secretly brought a foreign woman to reside in this Factory, and in the next place clandestinely transported guns and weapons from the ships to guard against being surrounded and expelled, both which are acts of presumption and opposition to old regulations, mad, rebellious and irregular acts; have now again ordered the foreign woman to be immediately and speedily taken in custody back to Macao, and the guns that are still retained to be all carried back to the ships and kept there. If they really act in obedience to these orders, and do not oppose, we, your Ministers, will, looking up, take the tender intentions entertained by your sacred Majesty, and still permit them to continue trading as usual; but if they dare to delay or oppose, we will then, according to your Majesty's edict of last year, drive them out and expel them with severity, entirely stop their trade, and inflict a heavy punishment on them; we decidedly will not presume to make the least accommodation with them, thereby leading to the increase of the unruly disposition of the obstinate foreigners.

"We, your Ministers, consider that, though this time the offences of the foreigners in opposing prohibitions have not brought us to the necessity of employing soldiers, yet the said foreigners original disposition has heretofore been unyielding and unfathomable. If it be necessary to keep them in awe by a military force, then it will be incumbent on your Minister King to appoint officers and soldiers of the Eight Banners (that is, Tartars), both on land and water, and unite them with the officers and soldiers whom your Minister Le will appoint, that they may conjointly manage the business.

"Again, we, by express, present a prepared Memorial. Because this business has relation to foreigners, and involves the dignity of the empire, we dare not refrain from stating the facts. With reverence, we, in conjunction with your Minister King, the Too-tung of the right wing, unitedly present this secret Memorial, begging your Majesty's sacred glance at it. A respectful Memorial."

EXTRACT CHINA CONSULTATIONS,

Dated 8th December 1830.

(A.)  
Alleged Breach  
of Laws.

THE Merchants this day waited on Mr. Davis, bringing with them two Edicts, one from the Viceroy, respecting the late Committee, and another from the Kwangchow Foo, concerning the residence of ladies in Canton. The one from the Viceroy was of so insulting and improper a character that Mr. Davis declined receiving it on his own authority, and told them they had better present it to the assembled Committee.

The following is a translation of the Kwangchow Foo's edict:

"Fum Hoo, the Kwangchow Foo, dated December 4th, received the 9th 1830.

"Hoo, the Kwangchow Foo, issues this to give orders concerning a certain affair.

"It appears that the foreigners have disobeyed prohibitions, and presumed to bring foreign women up to the provincial city. The Governor's orders have been repeatedly received to drive them away.

"It has been officially reported to Government that the foreign women brought by the English Chief Baynes, and the American Foreign Merchant Low, have been returned to Macao; but it is found that the English Foreign Merchant Thornhill, and the Indian Foreign Merchant Whiteman, both brought foreign women and servant girls, and they are still residing in the Foreign Factories. As yet no official report of their return to Macao has been sent in.

"Why do the Hong Merchants suffer them to procrastinate? It greatly indicates contemptuous trifling.

"Severe and intense orders have now been received from the Governor, urging the business, and it is decidedly impossible to suffer it longer for a moment.

"Beside issuing orders to the Nanhacheen to act in obedience thereto, this order is issued to the Hong Merchants, requiring them as soon as they receive it to enjoin its contents authoritatively on the said Foreign Merchant Thornhill, requiring him this very day to take the foreign women and servant girl, and send them in custody back to Macao.

"Let an official answer be returned for careful examination. If disobedience and delay be still persisted in, the Security Merchant, the Linguist and the Compradore shall all be brought up and involved in a manner not expedient for them. Hasten! hasten! These are the commands.

"Taoukwang, 10th year, 10th moon, 20th day."

EXTRACT CHINA CONSULTATIONS,

Dated 11th December 1830.

THE Committee assembled to meet the Merchants. Previously to their arrival the President stated to the Committee that they must in some degree feel prepared for renewed attempts at annoyance on the part of the Government, in consequence of the late changes, and that the surest and most prudent mode would be to meet them with

such a degree of temperate firmness at the very outset as would effectually check such a disposition. The other members of the Committee cordially coincided in these sentiments.

\* The younger Howqua and Mowqua having arrived, they delivered to the Committee the Viceroy's Edict respecting the late President, which was forthwith sent to be translated.

Mowqua then stated that they were directed by the Viceroy to communicate his commands that the Committee should instantly order the ladies now resident in Canton to return to Macao. This was refused, and they were told that by their own positive pledge and promise on the 29th of October, no further annoyance was to be given on the subject, and that the question was then set at rest.

They then endeavoured to urge the point, by representing the persecutions they would be subjected to in consequence. We informed them that we deeply regretted such should be the case; that could we in any mode help them we should be most willing; but that we could on no account recognize the principle that we were to be forced into compliance on that or any other point by an appeal to our feelings. We told them that such a compliance could not fail to be highly injurious to both parties, for that if the local authorities once entertained the notion that we could be induced to swerve from our resolutions by the imprisonment and persecution of those with whom we have intercourse, it would inevitably be resorted to on all occasions. We should here remark, that the younger Kinqua, who is the Hong Merchant, has been for some days past in prison at the Nanhæ's jail. The cause assigned is that he secured a ship consigned to Mr. Whiteman,\* but which has now left the port nearly three months. Mrs. Whiteman has been residing in Canton for the last fortnight, and this measure has been resorted to by the Government as the means of compelling her to return to Macao. The merchants then withdrew, and the Committee separated.

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### EXTRACT CHINA CONSULTATIONS,

Dated 12th December 1830.

THE following is a translation of the Edict yesterday received from the Merchants.

Document from the Hoppo Chung concerning Mr. Baynes, dated November 30, received December 11.

" Chung, by imperial appointment, Hoppo of Canton, &c. to the Hong Merchants, Howqua and others.

" I HAVE received from the Governor a communication, on opening which the following appeared :

" Last year the English nation's foreign ships delayed entering the port, in expectation of obtaining an alteration of the old commercial regulations, and repeatedly sent in dunning petitions. Although the Chief Plowden joined his name with the others,

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\* Or insulting.

others, I, the Governor, on making a minute and careful inquiry, have heard that the business all arose from Baynes, Millett, &c. wildly putting forth their lordly views,\* and laying plans of perverse craftiness, so that the ships long remained anchored outside, much of the cargo became mouldy and rotten, and all the merchants were greatly injured.

“ This year Baynes falsely filled the office of Chief, and again presumed to oppose the prohibitions of the Celestial Empire, brought women and girls to the provincial city to dwell in the Company's Factory; and at last, when his reasoning failed and his heart became frightened, he ordered the sailors in the ships to bring up during the night five brass guns, muskets, &c., and arranged them at the gate of the Foreign Factories for the purpose of defence. Such conduct as this was indeed the extreme of mad rebellion. It would have been right immediately to have inflicted extermination; but considering that this was the crime of one individual, Baynes, I could not bear to involve all the foreigners; therefore I, the Governor, stooped to exercise clemency and forgiveness, and not only forbore to inflict awful punishment, but also refrained from stopping the trade. I suppose this completeness of compassion for remote persons, is what all the Foreign Merchants of the said nation's ships universally know, and have heard.

“ But Baynes audaciously exhibited every sort of contemptuous behaviour; death is not sufficient to cover his crime !

“ I, the Governor, have already united with the Iseang Keun, the Fooyuen and the Hoppo, in a memorial to the Emperor on the subject. It is estimated, that during the first decade of the 11th moon (before the 24th December), the Imperial will may be received.

“ I have now received a document from his honour the Hoppo, saying, that a permit is requested by the Englishmen Marjoribanks, Davis, Robinson, &c., to come to the provincial city.

“ I suppose they were chosen to be Chief, Second and Third, and have come to change the Committee. Since the said Baynes goes out of the Chiefship, it is a question whether or not he should be ordered back to his own country. If hereafter we shall receive his Majesty's commands to take Baynes and punish his crimes, it will then be right that he be delivered over to be punished. He must not clandestinely steal away, in the hasty hope of getting off as if nothing had occurred.

“ Beside ordering the Hong Merchants, Howqua, &c., in obedience hereto, to go immediately, and perspicuously enjoin the tenor of the above commands on the new Chief, and order him on the same day to write back perspicuously, how Baynes is taken care of to be forthcoming, no excuses or procrastination can be allowed, such conduct will involve him in heavy guilt.

“ Moreover letters have been sent to the Poochingsze and Anchaszsc, to unite and hasten to order the Kwangchowfoo to take under his direction the Nanbaeheen, and communicate orders to the Hong Merchants that they may, in obedience thereto, enjoin the commands of Government on the new Chief and others to write back, clearly stating in what place they have confined Baynes till the business be settled.

“ Furthermore,

\* Or decisions.



(A.)  
Alleged Breach  
of Laws.

" Furthermore, it is right to make this communication to the Hoppo, that he may examine the contents and act accordingly.

" On this coming before me, the Hoppo, I forthwith issue an order to the Hong Merchants.

" [Here he repeats the last clause of the Governor's document.] Tremble at this! A Special Edict!

" Taowkwang, 10th year, 10th moon, 16th day."

### EXTRACT CHINA CONSULTATIONS,

Dated 14th December 1830.

THE following reply to the Governor's Edict having been approved of by the Board, the Merchants will be requested to attend the Committee to-morrow morning to receive it.

" To His Excellency the Governor of Canton.

" We have received your Excellency's Proclamation, bearing date the 10th year, 10th moon, and 15th day.

" We beg to acquaint you, that in compliance with instructions received from the authorities in England, to whom alone we look for all orders regulating our transactions in this country, we have undertaken the management of the affairs of the East-India Company in China. It will at all times be to us a source of satisfaction if the amicable relations between the British nation and China can be preserved uninterrupted. It is therefore with much regret we have received your Excellency's Proclamation, asserting a right of interference with the servants of the Company in this country, which we beg firmly, but respectfully, to state we can never admit. In regard to the personal imputations directed against the late Chief of this Factory, we feel ourselves called upon altogether to disclaim them. It is stated, that the ships of the Company were by him prevented entering the port, 'in expectation of obtaining an alteration of the old commercial regulations;' but according to your Excellency's admission, the condition of the Hong Merchants had at that period become 'sickened and debased,' and foreign trade with China was in a state which imperiously called for amelioration; we are glad to think that that amelioration has in some measure been accomplished.

" Mr. Baynes did not, as your Excellency has been most improperly informed, 'falsely fill the office of Chief;' but on Mr. Plowden's departure it became his duty to take upon himself that office, and to conduct, in concert with the other members of the Committee, the affairs of the East-India Company.

" In regard to the subject next alluded to in the Proclamation, to which we now offer a reply, namely, the resort of the wives of British subjects to Canton, we cannot but believe that your Excellency has, from the expressions which you have applied to it, been much misinformed. The wives and families of foreigners have at all times been admitted to reside at Macao, nor have the laws of China ever prohibited their doing so. By your Excellency's predecessor an English lady was ordered to be brought to Canton,

Canton, who had unfortunately been wrecked in an English ship on the coast of Hainan, and was conveyed here with other persons in a Chinese trading vessel. It has frequently occurred that English ships have been the means of saving the lives of Chinese subjects, who have been found cast away on some of the numerous islands in the seas adjacent to this empire. The mind dwells with sincere pleasure on such reciprocal good offices, proofs alike of civilization and humanity.

“ In this country, where the relations existing between husband and wife, and parent and child, are held in such high and deserved estimation, we cannot believe that it could ever be your Excellency’s wish to deny to foreign residents in Canton the possession of these advantages, on which, according to the maxims venerated in China, the moral condition and happiness of mankind so much depends. Such we feel assured could never be the intention of the benevolent mind of his Imperial Majesty, who so unremittingly inculcates the conjugal, parental, and filial duties on his own subjects.

“ In reply to the statement that the late Chief of the Factory acted violently in ordering armed men to Canton, we have only to mention that this was done in consequence of a formal intimation, which was made by the Hong Merchants, that the Factory was about to be attacked. Mr. Baynes being thus assured that the lives and property of British subjects were endangered, deemed himself called upon to protect them.

“ We could have much wished that we were not under the necessity of offering any further observations on the Proclamation, to which we now reply, as we are still inclined to believe that your Excellency must be sufficiently conversant with the British character to be aware, that we are incapable of being at any time induced by threatening language to diverge from the straight forward line of public duty. While serving our employers to the best of our humble power, we are unacquainted with a feeling of personal apprehension; we are insensible to such an influence; we dare not trust ourselves with quoting the expressions which have been applied to the late Chief of this Factory. We are desirous to address your Excellency in the language of truth, but in deference to the eminent situation which you hold, we wish to do so with respect. We cannot consider as applicable to an English authority the terms which have been used; they could only have been suggested to your Excellency by the misinformation of others: they could not emanate from a mind such as we are given to understand your Excellency possesses, governed by enlarged views, and directed by the principles of justice.

“ December 14th, 1830.”

#### EXTRACT CHINA CONSULTATIONS,

Dated 23d December 1830.

We have this day received the following Edict from the Governor, in reply to our address dated the 14th instant.

“ From Governor Le, dated December 23d, received on 24th, 1830.

“ LE, Cabinet Minister, member of the Military Board and Governor of the two Kwang provinces, hereby issues his commands to the Hong Merchants.

“ It

" It is now authenticated that the English Chief, Marjoribanks, and others, have presented an official document, saying—[Here follows a copy of the Committee's letter of December 14th.]

" This coming before me, the Governor, I have examined and find that the merchant ships of England have come to Canton to trade, upwards of a hundred years, and for so long a period there has been mutual tranquillity; in every instance there has been obedience to the laws and regulations of the Celestial Empire, none has dared to make the least opposition. Even with respect to the said nation's ships bringing married or unmarried women, they have invariably sent them on shore at Macao, they have never brought them up to Canton city to dwell in the Foreign Factories.

" During the reign of Keen Lung, it happened by mistake that some were brought to Canton, but they were all sent back in custody to Macao. There are repeated cases on record which afford evidence of this; but the late Chief Baynes, during the autumn of the present year, suddenly presumed to bring women with him to the Company's Factory to reside. Afterwards Thornhill and Whiteman came forward, and imitated the bad example, thereby violating the interdicts of Government.

" I, the Governor, repeatedly issued orders on the subject, charging them intensely that it could not be allowed; but I neither added the punishment which would have awed them, nor suddenly stopped your\* trade, because sincerely I could not bear, on account of the irregular, wild conduct of the individual Baynes, to involve all the ships; hence it was that I acted with so much liberal forbearance: I really desired, for the sake of the said country, to preserve her trade entire. I suppose that the said Chief and others, since their arrival in Canton, have heard all the detail.

" Now that Baynes is gone, his offences may all be left to himself, originally they do not concern the present Chief and his colleagues; but you, the Committee, are persons sent by your own country to control the commercial affairs; you must, no doubt, be persons who clearly understand what is reasonable and just, and maturely acquainted with the regulations. It is your duty to lead all the Foreign Merchants, to keep every one of them in his proper place, and not transgress the usages. If any one brings women to Canton, it is incumbent on you to speak plainly the correct sentiment, to reprehend him, and order him to hasten and return them to Macao. Moreover, you should previously caution all the people resident at Macao, and tell them that they are not allowed to bring their families to Canton. There you will go in the right way, which is incumbent on those who reside at Canton and have the general control. As to what is said in the Petition, that husband and wife should not be separated, this refers to ordinary cases, when living at home. If they go abroad and become guests in a country, how can they be viewed according to the same rule? Besides, at Macao, they may be sent to reside; where is the necessity of overstepping the mark and going to Canton?

" Try to think, of all the various nations whose foreign merchants come to Canton, there are a great many who do not bring their wives and daughters. How do they separate?

" That a sudden and wilful violation of interdicts which had been long obeyed was a wild, irregular act, I suppose the said Chief and his colleagues already know.

" At

\* Here and below he quits speaking to the Merchants, and speaks directly to the Committee.

“ At this time it is especially incumbent, strictly to order Thornhill to repent speedily and alter his behaviour, not persisting in his former stupidity. Thus the strength of the said Chief will be competent to draw him back for the time to come from his past errors, and the affair will be completed on both sides.

“ To sum up the whole, the said nation's ships and merchants passing over such immense oceans, come only for commerce, how can they be willing to indulge the idea of creating disturbance?

“ The Celestial Empire also decidedly will not treat harshly persons from remote parts. If, indeed, they implicitly adhere to old usages, and do not wilfully originate novel notions,\* no doubt there will be mutual tranquillity. In order to effect this, I do not fear the toil of reiterating admonitions and cautions on the said Chief and his colleagues.

“ Uniting these things, this Order is forthwith issued to the Hong Merchants, requiring them to enjoin its contents clearly and plainly on the said Marjoribanks and the others, that they may obey accordingly. Oppose not. Hasten! hasten! These are the commands.

“ Taoukwang, 10th year, 11th moon, 9th day ”

# EXTRACT CHINA CONSULTATIONS,

Dated 29th December 1830.

WE have received from a private source, the following Copy of the Imperial reply to the Memorial in our Secret Consultations, under date 30th November. The evident intention of it is to leave discretionary power to the officers of the local government to act according to circumstances :

“ Canton, December 29th, 1830.

“ Translation of a document received privately from the Court of Peking.

“ On the 14th of the 11th moon of the 10th year of the reign of Taoukwang (December 28th, 1830), a fire despatch (an express) was received from the Military Board, containing a letter from the great officers of army movements; saying, that King, the Iseangkeun of Kwang Chow; the Cabinet Minister and Governor of Canton, Le; the Fooyuen Choo and the Hoppo Chung had memorialized; and on the 24th day of the 10th moon of the 10th year, the Supreme commands were respectfully received, stating :

“ It is authenticated that King and others have reported that the English nation's Chief, Baynes, had conveyed foreign women to the provincial city, to dwell in the Company's foreign Factories; further, that the said Foreign Merchants had in going on shore from their ships, sat in sedan chairs, and proceeded to their Factories, [&c. as before translated; Emperor's answer concerning the guns, &c.]

“ According to internal regulations, foreign women are not allowed to go to the provincial city to dwell, and Foreign Merchants are not allowed to sit in chairs, and enter their Factories. Their bringing musketry and cannon is only for defence  
against

\* The allusion is to a tree shooting forth new branches.

against pirates at sea ; it is by no means allowed to convey them clandestinely into the city.

“ Now that the said foreigners have presumed to disobey old regulations, King and the others must issue strict and explicit orders, and cause them to obey and keep the old regulations. Hereafter they must not in the least degree oppose, nor wilfully offend against the prohibitions. If still they dare to persist in opposition, then forthwith adopt measures to expel them, and exhibit primitive correction, there must not be the least approximation or giving in. It is necessary (for the four persons named above) to consult and manage safely. Whilst cherishing tenderness towards outside foreigners, still there must be no loss of the dignity of the arrangements of the Celestial Empire. To do this will be good management. \*

“ Take these commands and make them known to King, Le and Choo, that they may communicate the commands to Chung (the Hoppo) for his information. Respect this ! In obedience to the Imperial will, we (the great officers, &c.) send this letter.”

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#### EXTRACT CHINA CONSULTATIONS,

Dated 4th January 1831.

WE have this day received from a private source, the following Copy of a Memorial to the Emperor, from the heads of the local government, concerning the proceedings of the last few months ; it evinces an equal disregard for truth, as most documents of a similar description.

“ Memorial to the Emperor from the Iseang Keun King, the Governor Le, the Fooyuen Choo, and the Hoppo Chung, concerning the supersession of the Select Committee, dated 1st January 1831.

“ Your Ministers, King, Le, Choo and Chung, kneel and report. We before reported unitedly, that the English Chief Baynes had brought up a foreign woman to the provincial city to dwell in the Foreign Factory ; that the said Foreign Merchants, on coming on shore from their ships, entered the Factories seated in sedan chairs, and that having erroneously listened to false statements, of soldiers being sent to surround and expel them, they became suspicious and fearful, and clandestinely brought guns and muskets from on board their ships to the Foreign Factories at the provincial city. On the 14th day of the 11th moon of the present year (28th December last), we received a letter from the great ministers, who direct the movements of the army, stating that the Imperial will had been respectfully received. [Here follows the clause of the answer which contains the Emperor's will.]

“ On examination, we find that after this former prepared memorial, the said foreigner, Baynes, getting a little knowledge of repentance and awe, on the next day, took the great and small brass guns and sent them severally back to the various ships. The foreign woman also returned to Macao. These things, at the several times of their occurrence, your minister Le, in conjunction with your ministers, King and Chung, reported on attached slips of paper (or by postscript) as is on record.

“ We

"We, your Ministers, on examining very minutely, find that the foreigners of the said nation are indeed all stupidly obstinate, but that the Chief, Baynes, is still more so, perverse and obstinate to an extreme; and that in many cases it has been Baynes who has madly thrust forward his views and wishes. Other persons have been chosen in the said country to be Chief, second and third Supracargoes, and they having come to Canton to change places with (the former ones), Baynes has immediately been dismissed.

"We, your Ministers, have made inquiry as to the reason of this, and it is authenticated, that, in reply, the Hong Merchants state that they have heard, that because of Baynes having last year frequently presented petitions, madly hoping to change the old regulations of the trade, and having forcibly caused the various ships to delay entering the port, so that a large portion of the foreign goods were spoiled by mould and rust; the said country knew that it was Baynes and his colleagues who had involved themselves in this state of things, and therefore recalled him.

"We find on examination, that the foreigners are covetous of profit, and very crafty and artful. It is not Baynes alone who is thus; so that although Baynes is now dismissed, it is difficult (or impossible) to ensure that in future those foreigners, who are put in his stead, will not again madly form crafty plans; we can only immediately thereon examine and issue strict orders for them to understand, that 'hereafter it is absolutely necessary that the English Chief, and all the foreigners of the various nations, pay implicit obedience to the prohibitions of the Celestial Empire, and tranquilly continue the ordinary course of trade.' If any should presume again to oppose, it will be our duty, in obedience to your Majesty's will, to form some plan for driving them out, and inflicting severe punishment and correction, without in the slightest degree approximating to, or making accommodation with them, in order thereby to make the dignity of the Empire revered, and to keep in awe the stupid obstinacy of the barbarians.

"It is consistent with right reason that we should unitedly report again by an added slip of paper (a postscript), begging a sacred glance at it. A respectful memorial."

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#### EXTRACT CHINA CONSULTATIONS,

Dated 13th January 1831.

WE have this day received the following document from the Merchants:

"Order from Governor Le, communicated by the Kwongchowfoo to the Hong Merchants, dated January 12th, received 13th 1831.

"Hoo, the Kwongchowfoo, to the Senior Hong Merchants, for their full information. A document has been received from the Treasurer, who received it from the Governor, who says,

"The Imperial commands have been respectfully received, saying, 'Former regulations have disallowed foreign women residing at Canton; foreign (or barbarian) Merchants, are not allowed to enter their Factories sitting in sedan chairs, and their bringing muskets and cannon is only to defend themselves against pirates at sea; they must not, on any account, clandestinely transport them to Canton. These foreigners having presumed to oppose old regulations, you must issue strict, severe and explicit orders

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‘ for them to obey, and keep the old regulations. Hereafter there must not be the least opposition or disobedience to prohibitions. If still they dare to procrastinate and resist, let them immediately be expelled by force, and a manifestation of chastisement exhibited. Respect this.’

“ Having respectfully transcribed this, it is hereby sent to the Treasurer, to pass it to the Kwongchowfoo, who must transmit it for implicit obedience. Examine into it, and act accordingly.

“ I, the Kwongchowfoo, having received the above, have written to the Nanhæheen, commanding him to obey it, beside which I hereby issue an order to the Senior Merchants, that they may forthwith reverently obey, and order with strictness, severity and perspicuity, the said Chief and others, one and all of them, to obey and keep the old regulations. They must not in the least oppose or violate the prohibitory orders of Government. The foreign women who have been brought by Thornhill and White-man, and of whose return to Macao there is as yet no authentic report, must be urged and commanded to be removed to Macao this very day, and a report of the same presented to Government. If they still dare to procrastinate and resist, assuredly his Majesty’s commands will be implicitly obeyed, and a rigorous infliction of expulsion and chastisement be manifested. The said Hong Merchants also will greatly offend, and find it inexpedient. Tremble at this! Heedfully attend to this. Oppose not. These are the commands.

“ Taoukwang, 10th year, 11th month, 29th day. (January 12th, 1831.)

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EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 23d October 1830.

Par. 9. We regret to state that an unfavourable and malignant temper has lately been displayed by the Chinese Government, in the publication of several insulting and opprobrious Edicts, promulgated with the evident intention of degrading the character of foreigners amongst the lower orders of the natives, and calculated in a high degree to aggravate the feelings of the former, and excite the disposition of the latter to offensive acts. Amongst these Proclamations, several have appeared prohibiting the residence of European females in Canton, and within the last two days a verbal message was delivered to us by Howqua, attended by the whole body of Hong Merchants, stating most distinctly (and as an intimation emanating directly from the Viceroy, which he desired might be immediately committed to writing), that unless a lady now residing in the Factories, removed in two or three days, a party of soldiers would be deputed by the Viceroy to seize her person.

10. We consider it proper to state that the indignities which the Chinese Government has lately attempted to heap upon foreigners, has been so keenly felt by the residents in this city, that an address has been presented to us, signed by, we believe, almost every member of the British Commercial Community, requesting our co-operation and assistance in remonstrating against this shameful line of proceeding on the part of the constituted authorities.

11. The

11. The threat of seizure, levelled against a person resident in the precincts of our Factories, is so subversive of the security indispensable to the conduct of the trade, that we feel any measure resembling concession on such a point, would be highly injurious to the interests of the British nation, of which we are in this country the representatives; we therefore determined, with reference to the abstract question of personal security, to resist this menace of violating the precincts of our residence, hitherto held sacred, to the utmost extremity, and resolved to adopt the necessary precautions for repelling the attempt if made.

12. As regards the question of the residence of European females in Canton, nothing can be more unreasonable than the objections now urged against it by the Chinese Government. In the past season, several ladies resided in the Factories without any attempt at molestation on the part of the Canton authorities, or even an observation being passed upon the subject. Mrs. Baynes, at whom the present insulting menace has been directed, accompanied her husband to Canton by the express invitation of Howqua, whose character is too cautious to commit himself inconsiderately. The prohibition therefore now issued against her residence in Canton, appeared to us as absurd, and inconsistent as the terms in which it was conveyed, and the threat which accompanied it are galling to the feelings of every Englishman.

13. We would here bring under the consideration of your Honourable Court that the President of the Factory, in the discharge of his duty, must necessarily at times render himself extremely obnoxious to the Chinese Government. We allude to those occasions when cases involving life are under discussion with the Government; and we would beg most respectfully to add, that the conscientious and prompt discharge of responsible duty, involving exposure to the odium of this Government, is scarcely compatible with the feelings attendant upon separation from a wife and family placed under no protection, and liable, in a desperate emergency, to the acts of a government which has shown itself capable of conduct of the most atrocious nature. The preceding remarks may apply with equal propriety to every member of the Factory, who might find himself in similar circumstances to those in which the President is now placed, and are not intended to refer to the solitary instance which has now been taken up by the Viceroy.

14. But the threat held out by the Government on this occasion embraces in its bearings a much wider field than the solitary instance in which it has been exercised. It has probably been induced by the sudden departure of two persons from Canton, Mr. Fearon, the Hanoverian Consul, and the Parsee Merchant Merwanjee, the master of the three Parsees concerned in the affray which caused the death of Captain Mackenzie. Mr. Fearon is a resident in the Factory where the transaction took place, and is also connected in business with Merwanjee. Mr. Fearon's name was introduced into a report of the transaction made by a low police officer to the superior Magistrates, we believe, at the instigation of Mr. Bovet, to screen himself from implication, although perfectly innocent of the smallest participation in the occurrence. Mr. Fearon was so far intimidated by the inquiries of the Government into an affair, where his name had been reported as an accessory, whose delinquency was suspicious, that he judged it prudent to quit Canton; and the Parsee Merchant Merwanjee, under the impression



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(A.)  
Alleged Breach  
of Laws.

that he might be held responsible by the Government for the acts of his dependents, adopted the same course.

15. The Chinese authorities have doubtless been encouraged in their demands for the delivery of the three Parsees, by the two instances of successful intimidation above related; and were the slightest disposition of concession evinced by us at the present moment, it cannot be doubted that they would be emboldened to proceed to fresh acts of aggression, such as the search of our Factories for the offenders, insulting menaces, or even the positive seizure of the person of some British subject.

16. We therefore came to the determination, that firm and deliberate resistance to the line of conduct assumed by the Government afforded the only hope of avoiding a series of indignities and insult, as well as of establishing the security of person, so essential to the conduct of the trade. A guard of seamen was immediately ordered from the ships for the protection of the Factory, in case of any attack being attempted; and the Merchants were informed the same will not be withdrawn till the Government give ample assurance for the personal safety of every British subject resident in Canton.

17. We are happy to be able to add to this despatch, the assurance that there appears no intention on the part of the Government, to disturb the commercial transactions of the season, which continue perfectly uninterrupted. The Hoppo has announced his intention of proceeding to Whampoa to-morrow for the purpose of measuring all the Honourable Company's ships. It is further satisfactory to us to inform your Honourable Court that the lading of four ships is already far advanced, and that of three more has been commenced.

18. We cannot here refrain from expressing our conviction, that the very serious discussion of the preceding season has had a sensible effect upon the conduct of the Chinese authorities, with reference to the employment of the means of coercion, to which they formerly resorted with such readiness. We allude to the suspension of trade. No hint has been made, in the demands urged by the Government for the delivery of the three Parsees concerned in the affray in which Captain Mackenzie lost his life, that this weapon of compulsion would be employed; we are happy also to perceive that the Government, though they have undoubtedly authorized the verbal communication of the insulting threat detailed in the ninth paragraph of this despatch, has not dared to commit the same to writing in the form of a public document; we trust, therefore, that the prompt and decisive measures which we have considered it necessary to adopt on this occasion, while they serve to convince the Chinese that attempts at intimidation will never succeed in inducing us to swerve from our position, will at the same time convince them of the inutility of protracting the discussion of the homicide, when no point can be gained; and we hope to communicate to your Honourable Court in our next despatch the amicable adjustment of the present subjects of difference.

EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 15th November 1830.

(A.)  
Alleged Breach  
of Laws.

Par. 57. Our letter under date the 23d October, will have informed your Honourable Court of the cause and progress of our discussions with this Government, and our proceedings consequent thereupon up to that period. The Hong Merchants having informed us that the Viceroy was unwilling to give more than a verbal assurance to a verbal threat, we addressed a letter to him, which will be found upon our Consultations under date the 25th October, stating the threat made use of, and the formal way in which it was conveyed, and requiring from him the strongest assurances that our Factories and our persons were secure.

58. On the 28th, an answer recorded under that date, was brought to the President by the Merchants, who stated that it would be found conciliatory, and to contain the assurance we required of personal protection; they added the strongest assurances, on their part, that no armed force should ever enter the Factories, and that no molestation would be given to English ladies residing in Canton, qualifying this latter assurance, by saying, that although edicts might from time to time be issued, which the forms of office rendered necessary, yet beyond that no molestation would be offered or notice taken; exemplifying their meaning by an allusion to the edicts annually promulgated against the opium ships, which were never intended to be put into execution. On the following morning the letter having been translated, the Committee assembled to take it into consideration. The first question was, whether it contained to the full extent the assurance we had required; the wording of it certainly does not amount to this, and we felt ourselves at liberty either to receive it, and construe it to our purpose in our reply, or to reject it altogether. There could be no doubt it was intended as a peace-offering, and the assurances of the Hong Merchants, not only on the question of the inviolability of our Factories, but as regarded the residence of English females in Canton, convinced us how great had been the impression created by the prompt and decisive measures we had adopted on the justifiable ground of self-defence. The slight allusion to the Parsee question sufficiently showed that that affair was at an end, and that our object to preserve the trade free from interruption had been obtained. The slightest concession on any of the points in dispute, would doubtless, judging from former experience, have been the sure means of involving us in long and harassing discussions, together with the other annoyances which have attended former cases of homicide in this country. After mature deliberation, and for the reasons detailed in our Consultations of the 29th October, to which we beg to refer, we determined to seize the advantages we had gained at the moment of concession, and put an end to these discussions.

59. We therefore formally summoned the Merchants, and informed them that relying on the promises of the Viceroy, and the strong assurances they had given on all the points in dispute, we should answer the Viceroy's letter with as little delay as possible, after which orders would be issued to remove the men and guns to Whampon.

60. A letter was drawn up to the Viceroy, recorded under date the 29th, and on the 31st

31st October the men and guns were embarked at the Company's stairs opposite the Factory, without the slightest accident having occurred from the time of their arrival to their return to Whampoa.

61. On the 1st November was received the Viceroy's reply, recorded under that date, in which he says, 'he assuredly will not admit the principle of moving the military to surround and to expel;' and thus terminated these discussions, which at the commencement threatened to be of long continuance.

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EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 15th December 1830.

Par. 9. It is with some regret we acquaint your Honourable Court, that we have received a proclamation from the Governor and Hoppo, the language of which is most violent, as directed against Mr. Baynes and the Members of the late Committee. It claims also a right of interference with the servants of the Company in this country, which has in former years been attempted, and effectually resisted. It will become our duty to disclaim this right of interference, and to reply to it in a firm and decisive manner. We may here remark, that in our communications with this Government, it will ever be our study to avoid all intemperate expressions. The language of inflexible firmness and politeness may be united, and we shall always endeavour to assume the first, without allowing the second to sink into humility.

10. An impression, arising out of the late changes, has probably been made on the mind of the Chinese public, that we might be disposed to concede privileges which had been gained; and as it must be well known to your Honourable Court that concessions in this country often lead to further attempts at encroachments, we shall consider it necessary to make a stand upon the threshold.

11. We consider the proclamation alluded to, and which is recorded on our Public Consultations forwarded by the present despatch, to be a trial on the part of the Canton Government how far we are disposed to yield to its dictation.

12. We are further confirmed in our resolution to pursue the line of conduct above mentioned, by an intimation we have received privately from a native source, but which we have reason to believe to be authentic, that an Imperial Edict, in reply to the representations of the Canton Government on the subject of the proceedings in the past and present seasons, has been received within the last few days. Our informant states the purport of the Edict to be as follows:

"The said Governor and others are ordered to arrange with liberality, and manage kindly. Respect this."

13. If this be authentic, it evinces a strong disposition in the Imperial Government to preserve amicable relations with foreigners. We are told that the rebellion in Tartary, and the great anxiety for its suppression, has in some measure created this desire to maintain uninterrupted tranquillity in other parts of the empire. But at the same time, we cannot avoid remarking, that the proceedings of last year appear to have made a considerable impression; and it must be admitted, as repeatedly demonstrated in

in the history of our intercourse with this country, that a firm opposition to the encroachments of the Government generally, produces a favourable inclination towards us, after the subjects in dispute are terminated.

CHINA PAPERS.

(A.)  
Alleged Breach  
of Laws.

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EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 1st January 1831.

Par. 9. ONE of the Hong Merchants has this morning acknowledged, with a request that his name should not be connected with the acknowledgment, that the Governor had stated that the residence of English ladies at Canton was a "trifling matter, a very small business," as he expressed himself. The remonstrances, therefore, which we have received from the Government upon this subject, have, as we have always believed, originated in the suggestions of the Hong Merchants, who have unhappily ever been jealous of the concession of any privileges which add to the respectability of foreign residents. They proceed upon the principle, that the greater the depressed state of foreigners, the less likely is their own responsibility to be involved.

10. We feel desirous that the confidential communication from one of their own body should be made known to your Honourable Court, who will naturally be led to conclude, that much greater weight has been attached by the Canton Government to this question, than has been the case.

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EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 11th February 1831.

Par. 6. SINCE our arrival at Macao, we have, in the interchange of courtesies with the local Chinese authorities, received from them expressions of their good-will and favourable dispositions, which have been evinced on a minor occasion by the removal of the restriction against Chinese being employed as chair-bearers by English residents, which had become a source of much private inconvenience.

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EXTRACT LETTER from the COURT OF DIRECTORS to the Select Committee at Canton, dated the 13th April 1831.

Par. 27. UPON the first point, *viz.* the resort to Canton of European females, we stated in our letter of April 1829, that "we could by no means sanction such a step." And we accordingly desire you will in future be governed by this decision, a departure from which led to the extreme measures of ordering up a party of seamen, and two carronades, for the purpose of being placed in the Factory, to repel any attempt which might be made by the native authorities to enforce the observance of their prohibitory Edict.

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CHINA PAPERS.

—  
(A.)  
Alleged Breach  
of Laws.

Edict. Such a course of proceeding might have produced a recurrence of the serious difficulties and embarrassments which had arisen in the preceding season; and that, not for the purpose of maintaining any point essential to the preservation of the important public interests committed to their charge, but to relieve them from a temporary domestic sacrifice, a sacrifice necessarily entailed upon the members of our Factory, in the discharge of the duties imposed upon them by the stations to which they are appointed.

(B.)

*PAPERS RELATING TO THE DEATH OF MR. MACKENZIE,  
AT CANTON.*

## EXTRACT CHINA CONSULTATIONS,

Dated 4th October 1830.

THE President this day arrived in Canton with his family, having left Macao the day previous in H. C. Cutter. On landing, the following letter was delivered to him by Mr. Lindsay. As the three Parsees alluded to were confined in Mr. Lindsay's rooms, the President gave immediate directions for their being sent to Whampoa; and they left Canton the same evening in the Astell's boat, with an order to the commanding officer of the H. C. S. Abercrombie Robinson, to keep them in safe custody until further orders

“ To Wm. Baynes, Esq., President, &c. Select Committee.

“ Gentlemen :

“ An affray of a very serious nature having occurred in which Captain Mackenzie, commander of the Dutch ship *Vrow Helena*, has lost his life, I consider it my duty to lay the circumstances of the case, as far as they have come to my knowledge, before you.

“ A little before seven on the morning of the 1st October, Mr. Van Basel, acting Consul for the Netherlands, came to my house and requested me to accompany him to the house of Mr. Bovet, in which Captain Mackenzie was lying dangerously wounded, having been attacked the previous evening by a party of Parsees, servants of Merwanjee Hormajee, who resides in the adjoining Factory.

“ I forthwith accompanied him to Mr. Bovet's, where we found Captain Mackenzie in a dreadful state, his head being so disfigured by the blows he had received, that scarcely a feature was perceptible. He was still living when I entered the room, but perfectly senseless, and he expired within a few minutes.

“ The statement of Mr. Bovet and several other witnesses was, that the house had been attacked by a party of Parsees; and that on Captain Mackenzie's going to the door he was knocked down and dragged along the Hong, the Parsees striking him severe blows with iron crowbars.

“ Mr. Van Basel then addressed me in the following letter, requesting my assistance to apprehend the suspected parties, they being British subjects.

“ (Translation.)

“ To H. H. Lindsay, Esq., British Factory in China.

“ Sir :

“ In consequence of the assassination which was committed yesterday evening in our Hong by the domestics of Merwanjee, we request you to give us the assistance in your power to

3 M

endeavour

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endeavour to apprehend the culprits, seeing that the Parsees are under the protection and domination of the English Company.

" I have the honour to be, Sir, your obedient servant,

(Signed) " M. J. SENN VAN BASEL,

" Provisional Consul of H. M. the King of the Netherlands.

" Canton, 1st October 1830."

" Conceiving, from appearances, that a murder of a most atrocious nature had been committed, I felt no hesitation in giving all the aid in my power, and immediately went to Merwanjee's Factory in company with Captain Daniell, the senior Commander in Canton, and several officers and seamen.

" Merwanjee himself readily came forward and pointed out three of his servants implicated in the affray, at the same time stating the case very differently from what Mr. Bovet did; namely, that his servants were the party attacked, and merely acted in self-defence. Merwanjee willingly committed the three men into my custody, at the same time expressing the most anxious desire that the affair should be thoroughly examined into by any British authority. I accordingly took the three men and placed them in confinement at my own house.

" During the course of the day an inquest was held at the Dutch Factory, which including adjournments, sat till five P. M. on the following day, when they came to a decision; and shortly after I received the following letter from Mr. Van Basel, enclosing the verdict of the jury.

" To H. H. Lindsay, Esq. &c. &c.

" Sir:

" The jury assembled to investigate the causes which led to the death of Captain F. Mackenzie, of the Netherlands ship Vrow Helena, having returned their verdict, I have the honour to enclose an attested copy of the same, in order that as the Representative of the British Factory in Canton, you may take such measures as you may consider the occasion to demand.

" The minutes of evidence are in course of being copied, and shall be furnished you when completed.

" I have the honour to be, &c.

(Signed) " M. J. SENN VAN BASEL,

" The Provisional Acting Netherlands Consul in China.

" Canton, 2d October 1830."

" (Copy.)

" We, the undersigned, a Jury of Inquest summoned by M. J. Senn Van Basel, Esq. Provisional Netherlands Consul in China, for the purpose of inquiring into the causes which led to the death of the late Captain Mackenzie, of the Netherlands ship Vrow Helena, having met on the 1st day of October, and continued by adjournment to this day, after having examined the body, and heard all the evidence adduced, are of opinion, ' That the death of Captain F. Mackenzie was caused by blows inflicted upon him by three Parsees, named Nowrojee, Framjee and Jamsetjee, (servants of Merwanjee Hormajee), in an affray which took place in the Dutch Hong on the 30th ultimo.'

" Given

" Given under our hands at Canton, this 2d day of October, in the year of our Lord 1830.

(Signed)

" JOHN MACVICAR, Foreman. " THOMAS FOX.

SAMUEL RUSSELL,

LANT. DENT.

EUGENIO DE OTADIN.

G. PARKYNS.

CHARLES N. TALBOT.

P. AMMIDON, jun.

T. H. GRAHAM.

J. R. LATIMER.

WILLIAM PIGOTT.

WILLIAM T. SPAWFORTH.

" (For a true Copy :)

" The Principal Acting Netherlands Consul,

(Signed)

" M. J. SENN VAN BASEL."

" Conceiving that the terms of the verdict, which states that the death of Captain Mackenzie was caused by blows inflicted upon him ' in an affray,' entirely to exculpate the men accused from any act of wilful premeditation, and all the information I had collected on the subject tending to satisfy me that they were not the originators of the affray, I did not conceive it necessary to detain them any longer in custody; I therefore sent for Merwanjee, and having obtained from him a written promise, signed by himself and Framjee Pestonjee, one of the most respectable Parsee Merchants in Canton, that the three men should be produced before the Select Committee on your arrival at Canton, I liberated the men from their confinement.

" On the morning of the 4th of October the Merchants called on me, and Howqua delivered to me two chops, one from the Viceroy, and the other from the Nam hoy, relative to this affair. The purport of these edicts was to direct the men who committed the deed to be kept in strict confinement, and await the Viceroy's decision. Thinking it probable, from this interference on the part of the Chinese Government, that they might endeavour to assume a right to take cognizance of the case, I consider it the best plan that the three men should again be taken into custody, and there remain until your arrival.

" I therefore sent to Merwanjee, and he instantly brought the three men with him, whom I placed in confinement, as before, in my house.

" I then, at the request of Howqua, explained, to the best of my knowledge, the circumstances which led to the affray, which he took down in writing, and told me he should directly send it to the Viceroy. The following is the substance of the information I gave :

" The following is the substance of a Chop sent in by the Merchants, October 4th, 1830 :

" Mr. Bovet ordered a private lock to be put on the back door of the Dutch Hong, which is a public door for all inmates of the said Hong. Merwanjee, wishing to go out, asked for the key, which was refused. Merwanjee sent a second time a European clerk, and was again refused. He then ordered three of his servants to break the lock. Mr. Bovet then came with a sword, and attacked them. The Parsees took the sword out of his hand. Mr. Bovet ran away, crying out for help. Captain Mackenzie, hearing the noise, came out to assist, and struck one of the Parsees with his umbrella. The Parsees then struck him on the head with wooden clubs, or sticks. At 7 A. M. next morning he died of the wounds received. The three men are in confinement at the British Factory, waiting the arrival of the Chief, who will, on his arrival, direct the case to be clearly investigated.



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" The Factory having this morning arrived in Canton, I take the earliest opportunity of laying these circumstances before your Board. The facts, as stated by me to the Merchants, contain an outline of the case, which will be more clearly explained to you when you are in possession of the evidence taken at the inquest; I must however remark, that Mr. Bovet's previous behaviour had been such, on various occasions, as to make it the subject of general conversation; and only a few days previous to this fatal event, a remonstrance was, to my knowledge, made to the Hong Merchants, stating that, unless some means were adopted to prevent his violent and unreasonable conduct, apprehensions were entertained that it must eventually lead to some serious affray.

" I have the honour to be, &c.

(Signed) " H. H. LINDSAY."

" Canton,  
4th October, 1830."

" To the Commanding Officer of the H. C. ship Abercrombie Robinson.

" Sir:

" The bearer of this letter will deliver into your charge three Parsees, whom I hereby direct you to keep in safe custody until further orders.

" I do not wish that any unnecessary severity should be exercised in confining these men beyond what may be required to prevent their escape, against which every precaution must be taken.

I remain, &c.

(Signed) " WM. BAYNES."

" Canton,  
4th October 1830."

### EXTRACT CHINA CONSULTATIONS,

5th October 1830.

THE following Letter, enclosing the depositions taken in consequence of the death of Captain Mackenzie, was received from Mr. Senn Van Basel, the provincial acting Netherlands Consul.

(Translation.)

" To William Baynes, Esq, Chief for all British Affairs in China.

" Sir:

" We have the honour to remit to you an attested copy of all the depositions made during the investigation on the death of Captain Mackenzie, and upon which the jury gave their verdict, which we had the honour to send to Mr. Lindsay on the 2d instant during your absence.

" We take this opportunity to tender our thanks for the assistance we have received from Mr. Lindsay whilst acting on your behalf, and for his offer to give us every assistance in his power during the investigation of this unfortunate affair.

" We have the honour to be, &c.

(Signed) " M. J. SENN VAN BASEL,

" Prov. Netherlands Consul in China."

The

The following Documents were received from the Merchants.

“ The Merchants, concerning Captain Mackenzie.

“ A respectful communication concerning the Dutch Captain Ma-kun-che (Mackenzie) having been wounded to death. We have at present received an order from the Viceroy, commanding us to examine and report, and also to communicate the order to you, gentlemen. Accordingly we now take a copy of the Governor's order, and send it to you, hoping that you will examine and act in accordance with it. This is the burden we impose on you. We specially make this communication, and with compliments subscribe ourselves.

“ To Messrs. Baynes, &c.  
8 m. 17 d.”

(Signed) “ Howqua.  
“ Mowqua.  
(12 Names.)

From Governor Le, respecting the death of Captain Mackenzie,  
dated 2d October.

“ Le, Member of the Military Board, Governor, &c. to the Hong Merchants,  
for their full information :

“ On the 16th day of the 8th moon of Taou Kwang, Wan-che-hwang, the Foo-tseang of Kwang Chow-hie, reported that Fan-ting-yew, the Tseintsung, at the Sekwan guard house belonging to the Left Battalion, had officially stated to him that Hwang-teen-gan, a street soldier, had informed him that on the 15th of the present month, at the Dutch Foreign Factory, No. 4, a Dutch Captain Ma-keen-che (Mackenzie) had an altercation and angry quarrel with the Parsee Supracargoes Feilun (Fearon), Malowmangee (Merwanjee), and others. Feilun and the others headed\* some foreigners with sharp weapons, with which they stabbed and wounded Mackenzie's head and body, which caused his death. The Supracargoes of the several nations immediately secured the murderers. It is now intended to send them back to their own country, to be tried, &c.

“ Thus the affair was stated to the Tsein-tsung, who stated it to me, who hold the mean office of Foo-tseang, and I write the facts, and lay the affair before your Excellency.

“ Thus the affair came before me, the Governor, and on examination, I find that foreigners in China causing the death of foreigners, have for a long time past always been reported by the Hong Merchants to the Heen Magistrate, that he might examine the body, and report to all his superiors, that they might manage according to the facts.

“ Now in the foreigner Mackenzie's case, how the bloody quarrel originated, how he was wounded, and his death caused, has not been reported by the said Hong Merchants. An order is hereby issued to them, requiring them immediately to examine distinctly into the origin of the quarrel, why the Dutch Captain, Mackenzie had an altercation and angry quarrel with the Parsee Supracargoes Feilun, Malowmangee and others,

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others, so that they wounded and caused his death; also what the name and surname of the murderer\* is, and send back a ~~true~~ report, that having proof, the affair may be managed.

"Moreover, as to the murderer in custody, direct the said nation's Chief to keep him under a severe and strict guard, and wait for our management of the affair. Oppose not. These are the orders.

"Taoukwang, 10th year, 8th month, 16th day."

WE deem it an act of justice to state, that the criminal charge preferred against Mr. Fearon, who is represented in the foregoing report to have headed the assailants in the late disastrous affray, is totally groundless. The testimony of every witness examined at the Netherlands Consulate acquits Mr. Fearon of all participation in the quarrel; and subsequent inquiry leads us to believe that the Chinese soldier who sent in to his superiors the first official narrative, received his information from Mr. Bovet.

"Pwan, the Nanhae Magistrate, concerning Mackenzie's death, dated October 4th; received 5th, 1830.

"PWAN, Nanhae Heen, &c. hereby issues orders to the Hong Merchants, for their full information. It appears on record that at the Dutch Foreign Factory, a Dutch Captain, Mackenzie, had an altercation and angry quarrel with the Parsee Supercargoes *Feilun* and *Malowmanche*. Feilun and the other led† forth foreigners, bearing sharp weapons, with which they stabbed and wounded Mackenzie's head, and caused his death.

"Yesterday‡ was received a notification from the Governor, saying, that in cases of foreigners causing the death of foreigners, the practice for a long time has been, that the Hong Merchants should report to the Heen that he might examine the body, and report to all his superiors, that they might manage according to the facts; but on the present occasion the Hong Merchants have not reported how the bloody quarrel arose, in which the foreigner Mackenzie was wounded and killed. Let the Heen immediately command (the Merchants) to examine clearly into the subject, and make a general report. At the same time, let the Heen examine the body of the foreigner, delineate on paper the situation of his wounds, and report to all the superior officers, that they may examine into the facts.

"At that time I issued orders to the said Merchants to obey accordingly, but from that time to this they have not yet presented a petition requesting an examination of the body, which very much indicates a trifling with the subject.

"On examination it appears that foreigners, when in this country they commit crimes, it is right that they should implicitly obey the orders of the Government of the Celestial

\* Or murderers.

† This phrase denotes in the original, acting as a leader or commander to a party.

‡ Or, the other day.

Celestial Empire, and await for examination and management. How can they be allowed to indulge in obstinate opposition.

" On search being made, it is found that in the 45th year of Keen Lung (A.D. 1780), there was one Lewshe, a French foreign sailor, who being drunk, and having quarrelled with his companion *Akeala*, took a knife and killed *Akeala*. He fled, and hid himself, but was taken. In that case the report was made by the Hong Merchants to the Heen to examine the body, interrogate the witnesses, and report to his superiors, for their management.

" Searching further back, there have been several cases in which foreigners have killed foreigners, and heretofore they have all been managed thus. In this case the affair is the same in law, and doubtless should be managed in the same manner.

" I now write the above circumstances, and send a copy of the Edict to the said Hong Merchants for their obedience, that they immediately make themselves clearly acquainted with the recorded cases, and make an accurate inquiry into the causes how the bloody quarrel arose, in which he was wounded and killed; also where the corpse now is; whether it be interred or not? What the name and surname of the murderous foreigner\* is? Whether or not he has been taken? Let an immediate and true answer be sent to these questions, that I, the Heen Magistrate, may, having proof, examine the body, interrogate the parties, and report to superior officers. Oppose not. A special Edict.

" Appended is a report made to the Emperor in the case of Lew-she killing *Akeala*.

" Taou Kwang, 10th year, 8th month, 18th day. (Oct. 4th, 1830.)"

#### Mackenzie's Case.

" A report made by Keolepa, the then Governor of Canton, to His Imperial Majesty Keen Lung, in 45th year, being A.D. 1780-1, 12th moon, 24th day.

" KEOLEPA, Member of the Military Board, Governor of Canton, &c. issues this document to inform the Honourable Nooyuen, the Tetuh, and the Hoppo, concerning certain affairs.

" On the 24th day of the 12th month of the 45th year of Keen Lung, I united with the Honourable the Fooyuen Le, in presenting a respectful memorial to His Majesty (of which the following is a copy).

" A memorial for the purpose of giving, or causing to be heard (by the Emperor) a certain business.

" We humbly consider that Canton is the general resort of foreign ships, which have heretofore all remained at Whampoa, being there anchored.

" A French foreigner, Lewshe, and a Portuguese foreigner, *Akeala*, acting as sailors on board of a Hungman† ship, came to Canton. On the 11th day of the 10th moon of the 45th

\* Or foreigners.

† Hungman, "red bristled," was formerly an appellation of the Dutch; latterly it has been distinctive of the English.

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45th year of Keen Lung, in the afternoon, they went to Efung Hong in quest of a Portuguese supracargo, Melanta, to be employed as sailors. In consequence of Melanta having gone to Macao, one Pingtoo, a Portuguese third supracargo, detained them for the time being in the Hong. That night both of them slept in the same room. Akeala said to Lewshe, that when he went to buy things in the shops he was in the habit of stealing, and ridiculed his worthlessness. Lewshe also reproached the other with stealing things, till at last they came to angry strife, and Akeala took out a knife he carried about him, and scored Lewshe a wound on his right jaw. Lewshe turned round and wished to run, when he further received two slashing wounds on his left side behind. Lewshe's passion being excited, he drew his knife to defend himself, and gave two slashing wounds to Akeala on his right side, from which he immediately fell and expired.

"The Hong Merchants reported the occurrence to the Nanhae Magistrate, who examined clearly the wounds on the dead body, and ordered the French Chief to deliver up Lewshe to be interrogated. In his evidence he acknowledged, without denial the preceding circumstances, and Lewshe was sentenced to be strangled. This being reported to the higher authorities, we again examined and found that in the 25th year of Keen Lung, a Dutch sailor, Weilim Peetse, being in China, with a knife slashed to death Keet che Na, a foreigner. Le, a former Governor, in accordance with foreign laws, forthwith put him to death on board the ship where he committed the offence, and so concluded the affair, as is on record.

"On the present occasion, the French sailor, Lewshe, caused the death of the Portuguese foreigner Akeala. The circumstances and the crimes were the same, and it is therefore right to act in imitation of the precedent. We, therefore, on the 19th day of the 11th moon, deputed the Footseung of the Middle Battalion, Yung-gan, and the Tsantsang Metozo jin, together with the Le teen pei, the Che-foo of Kwang Chow, and Seu-yu-fan, the Nan-hac-Heen, to summon altogether the respective foreigners (or heads of companies), to take the murderous foreigner, Lewshe, to the front of the Efung Hong, the place where he had committed the offence, and in the sight of all equally, according to law, using a cord, squeeze him to death, in order to illustrate the laws of the nation.

"The acting Judge, Chinshing-tsoo, prepared in order the confessions, and reported them to us. Besides informing the Supreme Board of these confessions, we now unite the circumstances and reasons of our proceedings, and report them to the throne, prostrate, begging that the Emperor over all will, with his intuitive wisdom, direct the Board to examine and conform and concede, that it may be done. Reverently reported, &c.

"Now on the 21st of the 3d moon of the 46th year of Keen Lung, being on the road at Yachow, the Vermilion reply has been received, saying,

✻ 'Let the appropriate Board know it. Respect this.'

"Uniting these circumstances, we forthwith by letter inform the appropriate Sze, that he may meet with the Pooching Sze, and transmit the order to be reverently obeyed, examined, and acted on without opposition.

"One letter to be sent to the Nooyuen, another to the Tetuh, and a third to the Hoppo, who are all styled Honourable.

"Keen Lung, 22d day, 3d moon, 46th year."

Hoo, the Pwanyu Magistrate, concerning Captain Mackenzie's death, October 4th ;  
received October 5th 1830.

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Mr. Mackenzie.

Hoo, the Pwanyu Heen, issues this for the purpose of transferring the commands of a superior, that obedience may be paid thereto.

On the 18th day of the 8th moon of the 10th year of Taoukwang, I received from the Fooyuen a document, and opening it found it as follows:

" On the 16th day of the 8th moon of the 10th year of Taoukwang. Wanchehwan, the Show-foo-tseang of Kwang-chow-ching, stated that Fan-ting-yew, the Tseen-tsung at the Se-kwan guardhouse, belonging to the Left Battalion, had reported to him that Kwang-teen-gan, a street soldier, had informed him, that on the 15th of the present month, at the Dutch Foreign Factory No. 1, a Dutch Captain, Mc-keen-che (Mackenzie), had an altercation and angry quarrel with the Parsee Supracargoes Fuilum, Malowinangee, and others. Feilum and the others headed,\* some foreigners with sharp weapons, with which they stabbed and wounded Mackenzie's head and body, which caused his death. The Supracargoes of the several nations immediately secured the murderers.† It is now intended to send them back to their own country to be tried, &c.

" Thus the affair came before me, the Fooyuen, and accordingly I, besides passing it to the Gawchaze, that he might transfer my orders and enjoin obedience thereto, unite the above circumstances, and send this prepared document to the Heen magistrate, that he may forthwith, in obedience hereto, make haste, and in company with the Nan hae Heen, take the Linguist and the official Examiner of dead bodies, belonging to the Criminal Office, and go and take Mackenzie's body, and immediately examine it, delineate on paper the situation of his wounds, and report to all the superior officers. At the same time, let them examine clearly how the foreigners Feilum and others commenced the bloody quarrel and angry strife, and led forth the foreigners, who with sharp weapons stabbed and wounded Mackenzie so that he died; and also what are the names of the murderous foreigners; and let them the same day write out the evidence, and examine according to cases that have formerly taken place; consult together, and report to all the superior officers, that they may manage according to the facts, &c.

" I, the Pwon yu Heen, having received this, besides sending it to the Nan hae Heen, that he may accompany me to examine the body, also unite the above circumstances, and forthwith issue an order for your information. When the order reaches you, the Hong Merchants Woo-show,‡ Chang and the others, make yourselves fully acquainted with the subject, and immediately communicate the order to the Linguists, that they may go to the Dutch Foreign Factory and order the body to be delivered up; and then wait till I, in company with the Nan hae Heen, arrive personally to examine it. Do you the said Merchants also examine clearly what are the names of the murderous foreigners,§ and the causes whence the bloody quarrel originated, and report back again. Oppose not. A special Edict.

" Taoukwang, 10th year, 8th moon, 18th day. (October 4th, 1830)."

EXTRACT

\* Or led forth.

† Or murderer.

‡ Howqua, jun.

§ Or foreigner.

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## EXTRACT CHINA CONSULTATIONS,

6th October 1830.

WE write the following letter to Mr. Van Basel, acknowledging the receipt of his address recorded under the date 5th instant.

" To M. J. Senn Van Basel, Esq., Provisional Netherlands Consul in China,

" Sir :

" We have the honour to acknowledge the receipt of your letter enclosing a copy of the depositions taken during the investigation held at the Netherlands Consulate, upon the death of Captain F. Mackenzie, Commander of the Dutch ship Vrow Helena.

" We shall take into consideration the circumstances attending this melancholy affair without delay.

" We have honour to be, &c."

" Canton, 6th October 1830."

Signed by the Select Committee.

## EXTRACT CHINA CONSULTATIONS,

7th October 1830.

THE Committee assembled to take into consideration what measures it might be proper to adopt in consequence of the unfortunate death of Captain Mackenzie, three British subjects being implicated in the affair.

The Committee, after having perused with attention the depositions taken before M. Sen Vann Basel, were unanimously of opinion that any further examination of witnesses by them would be unnecessary and impolitic. In the present case, the verdict of an English jury would probably be that of manslaughter; but were it even a case of murder, we have no authority to institute judicial proceedings; and no difference of opinion can exist as to the extreme impolicy of allowing the Chinese Government to interfere where their own countrymen are not concerned.

Although, judging from the documents previously recorded, it would seem that the Chinese Government does in principle take cognizance of the acts of foreigners among themselves; yet the indifference evinced by the Hong Merchants, and the documents being addressed generally to the foreign nations' Chiefs, would incline to the belief, that in practice it cares little to interfere. Unfortunately, however, any disturbance in which foreigners are engaged is almost sure to afford a rich harvest to many of the officers of this corrupt government, who in consequence are ever on the watch to take advantage of any opportunity to exact from the Hong Merchants. Casual interruptions to the trade injure not or involve the authorities of Canton; and it is only when the stoppage of commercial transactions is lengthened to a period which interferes with the collection of the imperial duties that they are alarmed for the consequences. It should be the great object of the Company's representatives in this country to impress upon them the idea, that interruptions and annoyances when once commenced are not so easily or quickly arranged, and above all, to inculcate the

maxim,

maxim, that though the trade may have its advantages, these will never be purchased, by Englishmen at least, at the price of national disgrace. Submission to insult has shown the Chinese how valuable is the trade, and they have acted accordingly, in too many instances, in interrupting and annoying it; and hence perhaps has originated the erroneous supposition, that to them the trade is a matter of indifference. The Committee are prepared to act with decision, but are unwilling to be dragged into the business, and consider it their duty to keep as much in the back ground as possible until compelled to take a part; but in regard to the three Parsees, the best course appears to be to send them by the first opportunity to Bombay. After they are out of the country, the Viceroy must see the difficult situation in which he places himself in prolonging a question and taking up a position from which he must recede, should he demand the surrender of the culprits. As copies of the above documents have been received by Mr. Sen Van Basel, and as he has in the first instance instituted the investigation, we shall leave to him the task of replying to the inquiries of the Government. It is proper to observe, that Mr. Sen Van Basel, in the interviews he has had with the President on the subject, has testified his concurrence in the measures proposed to be adopted by the Committee in sending the Parsees to Bombay, and that no wish has been expressed by him of having them delivered over to the Chinese laws.

It is resolved, therefore, to send the three Parsees to Bombay by the ship Edmonstone, now on the eve of departure, together with the depositions taken before the Netherlands Consul, for the full information of the Honourable the Governor in Council. Copies of the depositions we shall transmit to England, numbers in the packets of the Honourable Company's ships Thomas Coutts and Duchess of Athol. In searching the records for precedents, the Committee perceive, in the Consultations of the 14th December 1780, that precisely the same view was taken by the Select Committee of that period as to the dangerous precedent of allowing the Chinese Government to interfere in cases of homicide where their own subjects are not concerned. As the case appears somewhat similar, the extract is now recorded.

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Extract from the Diary of Consultations, &c. for the year 1780.

The following is the case referred to by the Governor of Canton in his Edict relating to Captain Mackenzie's death:

"Some time ago a French seaman belonging to the Success galley country ship killed a Portuguese sailor belonging to the Stormont, in one of the merchant's houses. The man took refuge at the French Consul's, where he remained for many days, but at last was given up to the Chinese, and was this morning publicly strangled by order of the Fooyuen. This is the first instance of one European being executed for the murder of another, and appears to be a very dangerous precedent, as it may involve Europeans in inextricable difficulties, if even by accident one man should kill another. The man executed to-day could have no trial of common justice. The affair happened between him and the deceased in Seunqua's Hong at night, nobody knowing of the quarrel till the Stormont's man was killed; and we do not understand that the Chinese Government took any means in their courts to find out the truth. Foreigners are not here allowed

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the benefit of Chinese laws, though in this instance one of them suffers by the rigour of them, nor have they any privileges in common with the natives. They are governed merely by such rules as the Madarins for the time being declare to be their will; and the reason why so few inconveniences happen from irregularities is, that the officers of government on such occasions rather choose to exact money from the Security Merchants, Compradores, &c. than use rigorous methods, by which they gain nothing; their corruption therefore in part is the foreigner's security."

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### EXTRACT CHINA CONSULTATIONS,

October 10, 1830.

By the Edmonstone, bound for Bombay, we direct our Secretary to write the following letter to Mr. Secretary Newnham :

" To William Newnham, Esq., Chief Secretary to Government, Bombay.

" Sir :

" Par. 1. I AM directed by the President and Select Committee to make known to you, for the information of the Honourable the Governor in Council, the following circumstances which have lately occurred in Canton.

" 2. On the evening of the 30th September an affray took place in what is called the Dutch Hong in Canton, in which a Captain Mackenzie, commander of the Dutch ship *Vrouw Helena*, lost his life in consequence of wounds inflicted by three Parsees, by name, Nowrojee, Framjee and Jamsetjee, servants of Merwanjee Hormajee, a Parsee Merchant, residing in Canton.

" 3. This affray appears to have originated in a misunderstanding, in consequence of a Mr. Bovet, a Swiss, by profession a watchmaker, who resides in the same Hong with Merwanjee Hormajee, arrogating to himself the right of keeping possession of a key, and by that means closing a public way leading into the street. It appears that Merwanjee Hormajee sent several times to demand this key, which demand not being complied with, he directed his servants to break the lock, which they did. Mr. Bovet hearing what was going on, ran out with a sword, which he attempted to draw on the three Parsee servants above mentioned, and on the sword being wrested from him, ran away, crying " Murder," which Captain Mackenzie, who resides in apartments in the same Hong, hearing, came out to his (Bovet's) assistance, and struck with an umbrella the Parsees, who then fell upon him, and with the sticks with which they had forced the locks inflicted the wounds, of which he died on the following day.

" 4. The first official intimation the Select Committee received of this unfortunate occurrence was a letter from Mr. Senn Van Basil, the Provisional Netherlands Consul, inclosing a certified copy of the depositions taken in the investigation he had instituted into the circumstances of the death of Captain Mackenzie.

" 5. On the receipt of these documents the Committee lost no time in assembling to take into consideration the measures it might be proper to adopt in consequence of three British subjects being implicated in the affair.

" 6. The Honourable the Governor in Council is no doubt aware of the peculiar situation

situation in which the representatives of the Honourable Company and the English nation are placed in this country, without the authority to act judicially, or even perhaps strictly speaking to administer an oath, which could be received as evidence in an English court of justice; the uncertainty that exists whether any or what notice would be taken by the Chinese Government of the acts of foreigners where death occurred, added to the difficulties of the situation in which the Representatives of the Company found themselves placed. For, should the Chinese authorities have demanded the surrender of the Parsees, for the purpose of being tried by the sanguinary law of this empire, the President and Select Committee clearly perceived the impossibility of a compliance; and after giving the subject mature deliberation, no other course appeared open to them but that of removing the Parsees from Canton as soon as possible, and sending them by the first opportunity to Bombay, with all the evidence transmitted to the Select Committee by Mr. Senn Van Basil.

“ 7. In consequence, the three Parsees, Nowrojee, Framjee, and Jamsetjee, have been sent on board the country ship Edmonstone, with orders to the Commander to carry them to Bombay, and to detain them on board until he has received instructions from the Honourable the Governor in Council on the subject.

“ 8. The President and Select Committee do not consider themselves competent to give an opinion as to the nature of the crime which by the laws of England would attach to the Parsees in question, but consider it their duty to observe that the conduct of Mr. Bovet, in taking possession of a key, to which he had no right, and in attacking the Parsees with a sword (which facts are undisputed), has excited in this community a strong feeling of indignation against him, which is perhaps heightened by his well-known quarrelsome disposition, and from his having been the indirect cause of the death of an innocent man in the person of Captain Mackenzie.

“ 9. I have the honour to enclose a copy of the letter received from Mr. Senn Van Basil, together with the depositions referred to, and remain,

“ Sir, &c. &c.

(Signed) “ GEORGE BEST ROBINSON,

“ Canton, 11th October 1830.”

“ Acting Secretary.”

# EXTRACT CHINA CONSULTATIONS,

Dated 12th October 1830.

In pursuance of the resolution adopted in the Consultation, October the 7th, we direct our Secretary to write the following Letter to Captain Hadley, ordering him to receive the three Parsees on board his ship :

“ To Captain Hadley, Commander of the Country Ship Edmonstone.

“ Sir :

“ I AM directed by the President and Select Committee to request that you will take charge of the three Parsees; named Nowrojee, Framjee and Jamsetjee, prisoners on board the Honourable Company's ship Abercrombie Robinson, and convey them to Bombay, where you will be pleased to await the instructions of the Honourable the Governor

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Governor in Council for their future disposal. I am also directed to desire that the accompanying Despatches may be delivered to the Secretary to Government on your arrival at Bombay.

“ I am, &c. &c.

(Signed) “ GEORGE BEST ROBINSON,

“ Canton, 12th October 1830.”

“ Secretary.”

Our Secretary is likewise directed to write the following Letter to the commanding officer on board the Honourable Company's ship Abercrombie Robinson :

“ To the Commanding Officer on board the Honourable Company's Ship  
Abercrombie Robinson.

“ Sir :

“ I AM directed by the President and Select Committee to direct that the three Parsees, named Nowrojee, Framjee and Jamsetjee, prisoners on board the Abercrombie Robinson, be delivered to Captain Hadley, Commander of the country ship Edmonstone.

“ I am, &c. &c.

(Signed) “ GEORGE BEST ROBINSON,

“ Canton, 12th October 1830.”

“ Secretary.”

To the Merchants, by Pwan the Nan-hac-Ileen, on the case of Captain Mackenzie's death; dated 11th October, received 12th, 1830.

“ PWAN, promoted by Imperial Order, hereby issues an Order to the Hong Merchants for their full information.

“ It is substantiated that these Merchants have presented a petition, in which they say.

“ We have humbly and respectfully received your Benevolence's official Order, on opening which we find it stated—[Here follows a Copy of No. 2, before translated.]

“ On receiving this we, the Hong Merchants, in obedience thereto, immediately instituted an inquiry into the several topics. It is authenticated that the Dutch Flag-keeping Chief, Fan-pa-shin, said verbally, on the 15th of the 8th moon, having heard that Captain Mackenzie had been wounded, and died, we immediately assembled outside nation's Foreign Merchants. Twelve persons, all having sworn that they would investigate according to the truth, examined the body, and found that the wounds had been inflicted on the forehead and other places with wooden bludgeons, and that he had died in consequence of the wounds. They strictly inquired who inflicted the wounds, and found that they were not natives of this country, but Indian white-head (Parsee) foreigners, Fa-lan-che, Now-loche, Yans-ayche, three persons, who, with a wooden bludgeon, thrashed and wounded Mekcenche, and caused his death. The three murderers, foreigners, have been apprehended. These murderers, foreigners, Fa-lan-che, Now-loche and Yans-ayche, were delivered over to the English Company's Chief, to be kept under strict custody till they are sent to their country, to be justly tried according to foreign laws. As to Makeenche's body, it was by the foreigners  
coffined

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coffined on the 15th of the month, and sent to Whampoa in a foreign boat, where it was interred. It is earnestly entreated that opening the coffin and examining the body may be dispensed with, and the foreigners will be very grateful. Thus the affair came before us, the Hong Merchants; and we immediately went to the English Foreign Factory to inquire, and found that the said murderers, foreigners, Fa-lan-che, &c. three in number, had been sent down by the English Company's Chief to Whampoa, on board a foreign ship, where they were kept in close custody. Uniting these circumstances, we report distinctly, in reply to the order we received to examine into the facts, &c. I, the Nan-hae-Heen, find that in cases of homicide it is absolutely necessary to examine clearly the wounds on the body, and to investigate clearly how the bloody quarrel arose; also who struck first, and who afterwards, who was the principal murderer, and who accessory; then a discrimination may be made, and the crime decided on. It is never the case that the wounds on the body should remain unexamined, nor who commenced the bloody quarrel should remain uninquired into, nor who was the person that inflicted such a wound. Thus the business may be managed. Further, it is found that a long time past, repeatedly, when foreigners caused the death of foreigners, the Hong Merchants reported to the Heen Magistrate to examine the body, interrogate the parties, report to the superiors, and manage. In this case the affair is the same, and ought to be managed in the same manner.

“ How the Dutch Flag-keeping Chief, Han-pa-Shin, has not inquired clearly into the causes of the bloody quarrel, nor stated who inflicted the blow in such a place, nor who struck previously, and who afterwards, nor pointed out all the circumstances minutely, but abruptly requests that an examination of the body may be dispensed with. This is very wrong.

“ And the murderers being natives of a dependency of England, the said nation's Company's Chief, in refusing to speak on the subject, has acted still more improperly.

“ Writing these things, I hereby issue an order to the Hong Merchants to transmit immediately my orders to the English Company's Chief and the Dutch Flag-keeping Chief, to inquire instantly into the causes of the bloody quarrel, what persons used what thing, and inflicted a wound in what place; also, who previously and who afterwards struck the blows. Let these circumstances be stated in reply, and according to the laws of the nation, to who it is that determines the crime on this kind of murderous foreigners; that having proof, I may repair in person to examine the body, discriminate and manage, according to the facts. Do not indulge in confused reservations, for doing so will involve you in serious guilt. Hasten! Hasten! A special Edict.

“ Taoukwang, 10th year, 8th moon, 25th day.”

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## EXTRACT CHINA CONSULTATIONS,

The 13th October 1830.

WE have this day received from the Merchants, the following Edict from the Quangchow Foo, relative to Captain Mackenzie's case.

" Governor Le, by the Kwanchow Foo, requiring the body of Captain Mackenzie to be delivered up to the Chinese by the Dutch, and the three murderers by the English. Dated October 12th, 1830, received 13th.

" Hoo, the Kwanchow Foo, to the Hong Merchants.

" On the 25th of the 8th moon, of the 10th year of Taoukwang, respectfully was received an official document from Le, Governor of Canton, &c. It is proved by papers on record, that the Kwanchow Lee reported concerning a Dutch foreigner, Mekeenchee.—[Here follows a copy of the soldier's report before translated. Next the orders the Governor gave to the Hong Merchants, already translated.]

" On examination it is found that for a long time past foreigners being in this country and causing the death of foreigners, in every case the local officers have interrogated the parties, examined the body, and reported to their superiors. The murderers, though in this country, were punished according to foreign laws.

" In the present case the Dutch foreigner was killed by an Indian foreigner. India is under the Government of the English; it is therefore right to order the said nation's Company's Chief to take the murderers, foreigners, and deliver them up for trial and judgment.

" That which the Kwanchow Lee stated in his report, that all the Chiefs wished to send the party back to their own country to be prosecuted, is contrary to old regulations, and decidedly cannot be allowed.

" Beside directing the Nau-hae-Heen to command forthwith the Hong Merchants to communicate it authoritatively and distinctly to the English Chief, that he must examine and conform to the old cases in law, and hasten to take the murderers, and investigate clearly who was head, and who followers, and on the same day deliver them up and wait for our management according to the repeatedly recorded precedents.

" The Celestial Empire's laws and regulations decidedly will not endure the least opposition. When the murderers, foreigners, are delivered up, let the said Heen immediately report for investigation.

" Uniting these things, an order is hereby issued to the said Foo, to take under his direction the said Heen, and manage safely and swiftly, and without opposition, &c."

" On the same day was further received from Le, the Governor of Canton, a document as follows :

[Here the soldier's first report, and the order to examine the body are repeated.]

" But up to this day no examination or report has taken place. It is found that heretofore foreigners in this country causing the death of foreigners, it has always been

been the case that the remains were examined by the local officers. Now, in the present case, the affair should be managed according to old precedents. It is impossible to allow foreigners to indulge in procrastination.

“ Let the Nan-hae-Heen immediately communicate orders to the Hong Merchants and Linguists to ascertain where the coffined body is, and order the Dutch foreigner to deliver up the body to be ready for examination. Let the said Heen make haste, and report back that having proof a Weiynen may be deputed and join the others, and go to examine the wounds on the body, and report generally to superior officers, that they may manage according to the facts. The case compromises the laws of the Celestial Empire, and it must not be presumed to disobey. How can it be permitted to the said foreigners to act as they please, and when an inquest should be taken, not take an inquest. The said Heen must not again delay; he will thereby incur guilt.

“ An order is also hereby sent to the said Foo, to take the lead of the said Heen, and immediately examine clearly, and give orders to deliver up the coffined body, and to wait till a Weiynen be deputed to join the party and examine the remains. No delay is allowed. Hasten! hasten!

“ This coming to me Kwangchow Foo Tse [he here reiterates the orders of the preceding without any additional remark, except a threat that disobedience will involve the parties in great guilt].”

## EXTRACT CHINA CONSULTATIONS,

Dated 18th October 1830.

“ To his Excellency the Viceroy of Canton.

“ WE have received from the Merchants your Excellency's Letter, demanding the surrender of three Parsees, British subjects, who were implicated in the late affray in the Dutch Hong, in which Captain Mackenzie lost his life.

“ We have to inform your Excellency that the three men in question have been sent to Bombay to be tried by the laws of England; and if, on examination, it shall appear that they were not the aggressors, that they were first attacked by a person with an offensive weapon, a sword, it will operate very strongly in their favour, and their punishment will not be so severe as it otherwise would have been. The Dutch Chief, under whose protection the deceased was, has sent us the depositions taken in evidence before him, which we have transmitted with the Parsees to Bombay. By this evidence it appears that a person residing in the Dutch Hong, took possession of a key, and stopped up a public way; that on these Parsees attempting to break the lock, they were attacked by a person with a sword, who then ran away; Captain Mackenzie hearing the disturbance, came up at the moment, and with an umbrella struck the men, who thereupon, it being dark, returned the blows of which he died. The Dutch Chief has not complained of our having sent the men away; there is no one who petitions; of what use is it therefore to lengthen discussions without an object, for the men are gone; why disturb the remains and repose of the dead, which are held so sacred in all civilized countries;

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tries; the surgeons have examined and disfigured the body; how then can the wounds be discovered? We pray your Excellency to give orders that the body be not again disturbed, a ceremony so revolting to all foreigners.

“ We have thus given your Excellency a statement of the affair, which is in accordance with evidence we have received, and hope your Excellency will there let the matter rest. If the men, by the laws of England, are found guilty, they will most assuredly be punished.”

Signed by the President.

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### EXTRACT CHINA CONSULTATIONS,

20th October 1830.

THE Committee having assembled to meet the Hong Merchants, Howqua proceeded to speak to the following purpose, having, in the first place, particularly requested that all he said should be taken down in writing :

“ Yesterday all the Hong Merchants waited on the Viceroy, who told us that the Committee had sent in a chop the previous day, stating that the three Parsees demanded by Government were gone away, and cannot therefore be delivered up for trial.

“ The Viceroy says, that this proceeding is in opposition to the Chinese laws, and cannot be suffered. The demand for the three guilty men is not founded upon any new law. A similar demand was made by the Government in the 45th year of Keen Lung (1780). It is the ancient law, no new regulation of the present Viceroy. If the men were not now demanded, hereafter there would be no restraining law. The strongest foreigner would destroy the weaker.

“ The Viceroy is desirous to show reason. When a man is murdered in another province, Keangsy for example, the Governor of Canton cannot settle the business. Justice must be administered where the crime is committed. The Viceroy is desirous to do strict justice, he has no wish to introduce a new law to oppress foreigners: Mackenzie's case must be referred to the Emperor. The Viceroy must have the three Parsees; it is not a mere formal demand.

“ When the three men shall be brought up, the Committee may keep them in custody in the Company's Factory. The investigation may be held according to English forms.

“ The Viceroy does not require the accused to be taken into the city; deputed Mandarins will assemble in the Factory, and with the Committee hold a court for the trial. Mandarins must be present, but the men to be examined according to English usage. When the trial is finished, if the men are acquitted of the crime of murder, the Committee must show reason to the Viceroy why not guilty. If condemned by English laws, the men shall be executed on your own premises in presence of the Mandarins.

“ The Merchants are ordered by the Viceroy to explain the whole case clearly to Committee.

“ If the men are really gone, a ship must be immediately despatched to bring them back, and the Viceroy to be informed in what time they will be produced. The An-  
Cha-

Cha-Sze has ordered the Hong Merchants to bring the Committee's answer to day, whether the men are gone or not."

Howqua then delivered the Viceroy's reply to our address of the 16th instant, which was as follows :

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" From Governor Le, demanding the delivery of the three Parsees; dated October 19th, received 20th, 1830.

" LE, Member of the Military Board, &c., hereby issues orders to the Hong Merchants, with which they must make themselves fully acquainted.

" It is authenticated that the English Chief Baynes and others have presented a Statement, saying—[Here follows a Copy of the Committee's Letter of October 16th, 1830.]

" On this coming before me, the Governor, I have examined the proceedings in this case, and find that I have repeatedly ordered the Merchants to enjoin my orders on the English Company's\* Chief to deliver up the murderous foreigner (or foreigners) to be tried and punished.

" As to the wounds on Mackenzie's corpse, the Nan hae Hcen was ordered to go and examine them, as is on record.

" Now said Chief and others have by no means made haste to deliver up the murderers, but turn round and say that the three men have been sent in custody to Bombay, where they will be tried according to English law, &c.

" This scheming craftily to shove off the business from themselves, not knowing that in China foreigners killing foreigners, must take the murderer, and in China put him to death according to the foreign mode.

" The case is established by former precedents.

" Now the murderer who caused Mackenzie's death should be punished agreeably to old regulations. How suffer the said Chief and others to indulge themselves in opposition?

" With speed, therefore, is issued to the said merchants an order to enjoin perspicuously my orders on the English Company's Chief, that he must take the foreigners who on that day fought, and instantly deliver them up, that a clear investigation may be made who the murderer was, and the character of his crime determined. Then let a report be made to me, the Governor, that I may send an officer to see that in China, according to law, how the affair has been managed. The laws and regulations of the Celestial Empire are luminously handed down from former times. No second opposition and procrastination will be allowed. You will thereby involve yourselves in guilt and the crime of perverseness. Intensely, intensely, are these orders given.

" Taou Kwang, 10th year, 9th month, 3d day. (19th October 1830.)"

EXTRACT

\* The translator observes a *change of phrase* of late; formerly, it was the English *nation's* chief, now it is *Factor* or *Company's* chief.



## EXTRACT CHINA CONSULTATIONS,

21st October 1830.

THE following short Address to the Viceroy, in reply to his Edict received yesterday respecting the Parsees, was delivered to the Merchants, who then withdrew.

“ To His Excellency the Viceroy of Canton.

“ WE have received your Excellency's letter respecting the delivery of the three Parsees to be tried by the Chinese authorities, and have now only to inform your Excellency that our last letter contained all the information we can afford on the subject.”

## EXTRACT CHINA CONSULTATIONS,

22d October 1830.

THE following Chop from the Nan hae Heen respecting the case of Captain Mackenzie has this day been delivered to us.

“ From the Nan hae Heen requiring the Parsees who were the murderers of Captain Mackenzie to be delivered up, dated October 21st, 1830.

“ PWAN, the Nan hae Heen, issues an order to the Linguists, with which they are to make themselves fully acquainted. There is at present an affair of Indian foreigners having given wounds to a Dutch captain, Me Keenthe (Mackenzie), of which he died. The Governor peremptorily requires them to deliver up the murderer, and however he is to be punished, according to their foreign method shall be punished. We will send officers to see and look on. This has been the way of managing heretofore, and there are cases transpired which may be examined. For the Celestial Empire's fixed regulations are, that if a man of any one place go to any other place, and there break the laws, he shall always at the place where he broke the laws be tried. If for instance, a Canton man goes to Kwang Se, and in a quarrel takes a man's life, he must be tried at Kwang Se, and certainly not be sent in custody to Canton. Though they, the foreigners, caused the death of a foreigner, yet the crime was committed in our country; therefore it is required in this country to manage it. Because they are foreigners, therefore they shall, according to their foreign method, be punished. In their foreign method, when the murdered man strikes the first blow, how is the murderer to be punished? When three men jointly strike one man, who is to be considered as the murderer? And who appears to be the murderer (in this case) after examination? You must ask the questions one by one till you clearly understand them. When the murderers are delivered up, we also will not go to examine and inquire, and investigate fully as to who ought to die, and what is to be done with them; who ought to be let live, and what is to be done with them; they shall all be punished according to the foreign method, and we will only send officers to look on and see, and that will do. Do you take the words of my orders, and inform the Chief, for his knowledge, and come again and state to me, that I may transmit a favourable statement to the Governor. There must on no account again be any perverse disobedience, which would hurt his dignity; and then it would not look well. These are the orders.

“ Taou Kwang, 10th year, 9th month, 5th day. (October 21st. 1830 )”

## EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Court of Directors, dated 23d October 1830.

(B.)  
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Par. 4. UPON the arrival of the Factory in Canton, the particular circumstances of the death of Captain Mackenzie, Commander of the Dutch ship Vrow Helena, caused by three Parsee Merchants, in an affray, were communicated to us by Mr. Lindsay, who had preceded the Factory to Canton, as well as by Mr. Sen Van Basil, Consul of his Majesty the King of the Netherlands. The following is a brief outline of this unfortunate affair :

5. Mr. Bovet, a citizen of Geneva, resident for several years in Canton, shut up a thoroughfare in the Hong, which he inhabited, for the annoyance and inconvenience of other foreigners living in the same Hong. Upon this a Parsee Merchant, named Merwanjee, having made repeated applications to Mr. Bovet, in vain, to remove this obstruction to the free passage through the Hong, dispatched three Parsee servants with orders to break the lock which had been affixed to the door ; Mr. Bovet perceiving their intentions, came out and attacked the party with a sword ; the Parsees, however, succeeded in disarming Mr. Bovet, who then took to flight. Captain Mackenzie hearing a disturbance in the Hong, in which he lodged, came out to render assistance, as might appear necessary ; and under a mistaken impression attacked the Parsees, whom he struck with an umbrella. The Parsees then proceeded to cudgel Captain Mackenzie with sticks or clubs, and inflicted blows, which caused his death the following morning.

6. The facts above stated had been investigated by an inquest of foreign residents in Canton, held under the superintendence of the Dutch Consul, and would probably, in an English court of justice, not implicate the three Parsees in question, in a charge of greater delinquency than that of manslaughter.

7. The Chinese authorities having already exhibited a disposition to interfere in this transaction, we determined to remove the three Parsees, British subjects, from Canton without delay, and they were sent on board the country ship Edmonstone, bound for Bombay. We have received information of the departure of the Edmonstone from China with the three Parsees above mentioned. The danger of allowing the Chinese Government to interfere upon the present occasion is too apparent to require discussion. Their sanguinary code of legislature would remain satisfied with nothing short of the life of at least one of the party implicated, and would in no way discriminate between a case of intentional murder, and one of accidental homicide ; their demands for the delivery of the guilty persons would be urged as long as a hope could exist of exhibiting a display of power, by the execution of a foreigner, and would protract the discussion to an interminable period ; we therefore felt that the measure which we adopted, while it offered the only protection in our power to the lives of three British subjects, was at the same time that best calculated to bring the affair to a conclusion ; and if it could be necessary to adduce further argument in its favour, was the only one which the powers vested in this Committee place within their option.

8. Since the adoption of the preceding measure, the Chinese Government have demanded the delivery of the three Parsees to them for trial, and have persisted in that demand, although informed by us that they had actually left this country in a ship bound for

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for the Presidency of Bombay, where they would be placed at the disposal of the Government, and submitted to any further trial which might be deemed proper. Their demand has since been modified in various ways, and would now appear to amount to the requisition of a trial according to foreign law, with the attendance of the Chinese authorities. We have stated in reply, the impossibility of compliance, the men having actually left the country; and the question rests in this state at present, without having affected the usual routine of our commercial transactions.

(See also Pars. 14, 15 and 18 of this Letter, in the Papers relating to the alleged breach of the laws of China, page 441-2 of this Appendix.)

(C.)

*PAPERS RELATING TO AN ARMED FORCE FOR THE PRO-  
TECTION OF THE COMPANY'S FACTORY AT CANTON.*

EXTRACT CHINA CONSULTATIONS,

20th October 1830.

"To Captain John Innes, Senior Commander of the Hon. Company's ships in China.

"Sir :

"I AM directed by the President and Select Committee to communicate to you their orders, that with the least possible delay, you take the necessary steps for the attendance of 100 armed seamen and two quarter-deck carronades, for the protection of the Honourable Company's Factory.

"I am, &c.

(Signed)

"R. HUDLESTON,

"Secretary."

"Canton, 20th October 1830."

EXTRACT CHINA CONSULTATIONS,

21st October, 1830.

IN the course of the night, the force required for the protection of the Factories arrived in Canton; the guns were landed in the morning, and placed at the gate of our Factories. In consequence of the measures adopted by the Commodore, and the good discipline of the Honourable Company's ships, we are happy to say that this was effected without the least confusion or disorder.

EXTRACT CHINA SECRET CONSULTATIONS,

Dated 25th October 1830.

"To Captain Innes, Senior Commander, &c. &c. &c.

"Sir :

"I AM directed by the President and Select Committee to convey to you the following orders respecting the guard retained in the Factory, and desire that you will take the necessary steps to carry them into effect.

"1. That a number of men, not exceeding one division of the guard, be allowed to

(C.)  
Armed Force for  
Protection of  
Factory.

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go out in front of the Factory only for a limited time, daily, and under the proper superintendence of their officers; these men to be unarmed.

"2. That the guard be paraded by their officers daily in the garden, in front of the Company's Factory.

"3. That the total number of seamen employed as a guard, which considerably exceeds what the Committee originally contemplated, be reduced gradually to that of 100; the number of officers remaining for your consideration, and that the reduction be effected gradually at the rate of ten men per diem.

"4. That four boats, manned from the guard, and armed, be in readiness at a quarter before five every evening, to be employed on any service on which they may be required.

"5. That no man be permitted to carry his arms with him out of the Factory, excepting on duty.

"I am, Sir, your obedient servant,  
(Signed)

"H. H. LINDSAY,  
"Acting Secretary."

"25th October, 1830."

## EXTRACT CHINA CONSULTATIONS,

1st Nov. 1830.

"To Captain John Innes, Commander of the Honourable Company's ship Abercrombie Robinson, and Senior Commander of the Honourable Company's ships in China.

"Sir :

"I AM directed by the President and Select Committee, to convey to you, as Senior Commander their thanks for your conduct during the late proceedings, when prompt measures were considered necessary for the safety of British subjects in Canton, and an armed force was consequently ordered up from the Honourable Company's ships at Whampoa.

"In making known to you the thanks of the President and Select Committee on this occasion, I am directed to observe that they do not limit their approbation altogether to the alacrity displayed by you in the execution of their orders, but extend it to the spirit with which you entered into their views, and the zeal displayed by you for the public service, which circumstances they shall consider it their duty to bring to the notice of the Honourable the Court of Directors.

"I have, &c. &c.

(Signed)

"H. H. LINDSAY,  
"Acting Secretary."

"Canton, 1st Nov. 1830 "

" To Captain Philip Baylis, Commander of the Honourable Company's ship  
Canning.

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Factory.

" Sir :

" I AM directed by the President and Select Committee to convey to you their thanks for the zeal displayed by you during the late proceedings in Canton, in arranging and disciplining the men placed more immediately under your orders in the Factories. To the regularity you established, and to the discipline you introduced among the seamen, may be in a great measure attributed the absence of all accidents, a circumstance highly conducive to the interests of the Honourable Company, and creditable to your abilities as an officer. I am directed to observe, that your conduct on this occasion will be brought to the favourable notice of the Honourable the Court of Directors.

" I have, &c. &c.

(Signed)

" H. H. LINDSAY,

" Acting Secretary."

" Canton, 1st Nov. 1830."

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" To the Commander and Officers of the Honourable Company's ships in China.

" Gentlemen :

" I AM directed by the President and Select Committee to convey to you their thanks for the zeal and alacrity displayed by you during the late proceedings, when circumstances rendered it necessary to order up an armed force from Whampoa, for the safety of British subjects in Canton. The promptitude with which the orders of the President and Select Committee were executed on this occasion, and the good conduct of the men during their stay in the Factories, are circumstances highly creditable to their officers, and to the discipline of their respective ships, and will not fail to be made known to the Honourable Court of Directors.

I have, &c. &c.

(Signed)

" H. H. LINDSAY,

" Acting Secretary."

" Canton, 1st Nov. 1830."

CHINA PAPERS.

(D.)  
ships to return Fire  
of Chinese Forts.

(D.)

*PAPERS RELATING TO ORDERS FOR SHIPS MOVING DOWN  
THE RIVER TO RETURN THE FIRE OF THE FORTS, &c.  
OF THE CHINESE.*

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EXTRACT CHINA CONSULTATIONS,

Dated 16th November 1830.

NOTWITHSTANDING the Grand Chops for the ships now under despatch have been regularly applied for more than a week ago, those of the 'Thomas Coutts and William Fairlie only have been issued. We have several times informed the Merchants that the despatch of the ships could not be delayed, and Puankhequa and Fatqua, who secure the Duchess of Athol and Dunira have promised to be in time; but not having made up their accounts, the Grand Chops are not yet forthcoming.

We consider it absolutely necessary at the first despatch of the season to convince the Merchants that our ships, when ready, will positively sail, or else the same thing will assuredly happen again, and ships may be detained an indefinite period after their despatches are closed. We do not apprehend any difficulty in this instance, as the ships in question will follow the other two, who have pilots, and will probably have the same fishermen on board, who would have acted as guides to the legally constituted pilots. We therefore direct our Secretary to write the following letter to Captains Wilson and Daniell, for their guidance.

" To Captain Daniell, Commander of the Honourable Company's Ship  
Duchess of Athol.

" Sir:

" I AM instructed by the President and Select Committee to direct, that in the event of your not receiving your Grand Chop with the Honourable Company's packet, you weigh anchor, and proceed down the river in company with the Honourable Company's ships Thomas Coutts and William Fairlie. In case you should be fired at by the forts at the Basse Tigris, you are in the first instance to return with blank cartridge; but should your ship be struck, and the lives of the crew endangered, you are permitted to fire ball.

" I have the honour, &c. &c.

(Signed) " H. H. LINDSAY,

" Canton, 16th Nov. 1830."

" Secretary."

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EXTRACT CHINA CONSULTATIONS,

Dated 18th November 1830.

CHINA PAPERS.

(D.)

Ships to return Fire  
of Chinese Forts.

WE have received the following Letter from Captain Wilson :

“ H. H. Lindsay, Esq. Secretary.

“ Sir :

“ I BEG to acquaint you, for the information of the President and Select Committee, that the Honourable Company's ship Dunira, under my command, proceeded from Second Bar this morning, agreeably to the instructions received. On passing through the Bogue, a gun (not shotted) was fired from the fort, and the same returned by me.

“ I have, &c.

“ 17th November 1830.”

(Signed)

“ J. P. WILSON.”

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EXTRACT CHINA CONSULTATIONS,

Dated 19th November 1831.

THE following Letter, from Captain Daniell, has been this day received :

“ William Baynes, Esq. President, &c. &c. &c.

“ Gentlemen :

“ I HAVE the honour to report to you, that having received the Honourable Company's Despatches, yesterday morning we got under weigh, and passed through the Boguc, and are now off Macao on our passage to St. Helena.

“ I have, &c.

“ 18th Nov. 1830.”

(Signed)

“ E. M. DANIELL.”



CHINA PAPERS.

(E.)  
Redress of  
Grievances, &c.Bankrupt  
Merchants.

(E.)

*REDRESS OF GRIEVANCES, OR THE ACQUISITION OR  
ASSERTION OF PRIVILEGES.*

(1.)—DEBTS DUE BY THE BANKRUPT MERCHANTS GNEWQUA AND PONQUA.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 24th October 1810.

Par. 13. WE are sorry to inform your Honourable Court, that the plan we had resolved to adopt last season for the liquidation of the debts of the bankrupt Merchants Gnewqua and Ponqua, have been prevented by the most extraordinary interference of the Viceroy of Canton. The detail we shall have the honour to submit in due course to your Honourable Court, we regret to say, will exhibit proceedings of duplicity and villany on the part of the Merchants and Mandarins, unprecedented even in China.

14. The Mandarins at present appear to have entirely changed their tone, and we have little doubt will terminate the business without further trouble, by directing the payment of the debts by the other Merchants, in the usual manner. We shall endeavour to obviate, by every means left in our power, the ruinous consequences that may result from this mode of adjustment, as well from the inability of the Junior Merchants to bear so heavy a burthen, as from the increased charges it may entail upon the foreign trade.

15. The arrangements we had made for the present season will, we hope, be allowed to proceed; but we fear the alarm occasioned to the Tea Merchants, by the proceedings of the Viceroy, will seriously affect both the quantity and quality of the Teas that were to have been delivered on account of Gnewqua.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 28th November 1810.

Par. 8. THE Chinese Government have directed the Teas contracted for on account of Gnewqua and Ponqua to be duly delivered, but no final settlement of these Merchants' affairs has taken place; it has latterly been proposed to pay, by instalments, in ten years, a protracted period to which it is unreasonable to suppose we should accede.

EXTRACT

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 21st March 1811.

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Par. 88. WITH respect to the future liquidation of the very serious amount of the debts of these bankrupt Merchants, both to the Honourable Company and to the other Foreign Creditors, it was generally understood at Canton, even early in the season, that the Viceroy had on his own authority laid down a plan of payment in ten years, by equal annual instalments, and had transmitted it to Peking, for the approval and ratification of his Imperial Majesty.

89. We were not, however, officially informed of this fact, nor even personally assured of its truth until the 10th instant, when Pinqua communicated to us an Edict to this effect, addressed by the Nan-hai-Hien to the Hong Merchants for our information, and dated as early as the 6th ultimo, though no intimation had reached us of its existence before the day on which it was delivered to us.

90. Although the very reprehensible neglect of Pinqua in keeping us thus long in ignorance of so material a document has afforded less time than we could have wished for the consideration and discussion of a subject of this importance we deemed it our duty immediately to address to his Excellency the Viceroy, a remonstrance against an arrangement so far below the constant professions of the Government, and which, inadequate as it is, the Merchants, while heavily burthened by the increasing charges and exactions of the Mandarins, and labouring under great individual embarrassments, are well known to be without the means to execute.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 10th January 1812.

Par. 229. THE plan which was first proposed to us by the Junior Merchants, was that our Committee should grant bills for the amount (as was done in the case of Shykinqua's debts); and that on adjusting each Merchant's accounts with the Company at the close of the season, the amount of their shares should be severally deducted.

230. This arrangement, on account of the very different state of the Merchants and of our accounts with them, at this and at the former period, we could not altogether approve; but conceiving it desirable to ensure the adjustment of the business by some such agreement if possible, especially considering that a material proportion of the sum to be recovered is due to the Honourable Company, we offered to grant bills as proposed to the several creditors, upon condition of our receiving from Mowqua and Pinqua their bonds for the total amount (half from each), and the accounts to be adjusted with them at the end of the season.

231. The other Merchants having agreed to allow a sum of about 2l. 3s. upon each pecul of tea to be purchased from them by the Company, to be paid on their account when due into the Consou Fund, as a security to Mowqua and Pinqua, the latter, on our consenting to this allotment, made no further objection to our plan, and it has been carried into effect accordingly.

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232. By closing with the Merchants upon these terms, it will be observed that we have not only secured the payment of the first instalment of the debt due to the Company from Gnewqua and Ponqua, but have likewise obtained a material accommodation, being thus enabled to liquidate a considerable part of the balance due at present by the Company to Mowqua and Pinqua, without any direct reduction in the amount of our specie.

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(2.)—HEAVY BURTHENS ON THE TRADE.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 26th February 1810.

Par. 188. IMMEDIATELY on our arrival from Macao, the Viceroy required our attendance to receive the orders of the Emperor on permitting the renewal of trade, and we availed ourselves of this opportunity of representing to him, in writing, the heavy burdens to which the trade was exposed, and other general subjects of complaint. The result of this measure, we are sorry to say, will prove to your Honourable Court how vain it is to expect redress from the Mandarins of this province, as not the least notice has been taken of our complaint. His ignorance of the subject cannot be pleaded, as the representation was delivered to the Viceroy himself, and perused by him in the presence of our President.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 21st March 1811.

Par. 91. WE considered this a favourable opportunity of endeavouring to draw the Viceroy's attention to the general state of this trade, and to some recent circumstances to which much of the distrust of Foreigners, and of the unprecedented embarrassments of the Merchants, is to be attributed; and we finally requested that the whole might be faithfully reported to his Imperial Majesty, upon whose favour and protection, as well as wise and just determination, when fully informed of these circumstances, we were willing to place the most perfect reliance.

92. We have not received any reply to this representation; indeed, at this advanced period of the business, and considering the present temper of the Government, we can scarcely entertain any serious hopes of the success of its immediate object; but in a general point of view, and as conducive to the prevention of further encroachments, we have seldom found our remonstrances against any injurious or oppressive acts of this Government wholly without effect; and we are persuaded that the task, however unpleasant and ungracious, is on such occasions an important and indispensable part of our duty.

121. We are just enabled, previous to the close of our proceedings, to record a translation

translation of an Edict which has been issued by the Hoppo, in answer to our address of the 10th instant; but the near approach of the present Despatch has necessarily prevented us from taking particular notice of its extraordinary contents, until a future opportunity.

122. We may however remark, that, notwithstanding the unblushing denial of the most notorious facts, the professed indifference and contempt for our representations, and the generally ungracious and offensive tone which pervades the whole of the communication, we are still disposed, from the reports we have heard, and from the anxiety and uneasiness which are betrayed in the Edict itself, to augur favourably of the ultimate effect of the sensation which our address has produced, and to hope that it may yet prove some check to the ruinous and oppressive system of extortion to which the Hong Merchants are subjected.

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(3.)—COMPANY'S SHIPS DETAINED IN CONSEQUENCE OF A CHINESE BEING  
KILLED BY AN ENGLISH SEAMAN.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 28th February 1810.

Par. 1. WE are sorry to have to inform your Honourable Court, that at the moment when the ships had completed their lading, and our papers nearly in readiness for despatch, we were informed that the Chinese Government would not permit the departure of the ships until it was discovered by whom a Chinese had been killed, as they asserted one had been, by an English seaman.

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2. A charge of this nature had been made some time before, but so entirely unsupported by proof, indeed, in direct contradiction to the testimony of the shop-keeper living within a few yards of the spot where the murder was said to have been committed, that we did not think it would be persisted in, and this opinion was much strengthened by the Grand Chop of the Nottingham being issued after the charge was made.

3. It was now, however, recommenced, and from asserting that the officer belonged to one of the ships whose captains resided in the Imperial Hong, they fixed on the Royal Charlotte, but without apparently the smallest reason, as although some men belonging to that ship were in Canton on the day the man was wounded, they were locked up at dusk, and not permitted to go out till next morning.

4. The charge was attempted to be substantiated by the production of two witnesses, who it was asserted could recognise the features of the offenders; but on examination this did not appear the fact: they deposed, however, positively as to the dress of the Europeans who wounded the Chinese, which on inquiry proved entirely different from that worn by the people of the Royal Charlotte.

5. It was in vain that Captain Austin and ourselves represented in the strongest terms the total failure of the proof they brought forward to establish the charge, and the injustice of detaining the ships on such grounds. Every argument was disregarded, and the receipt of letters from Captain Austin refused. In this situation we were on  
the

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the point of forwarding letters to the different officers of Government, fixing a day for the departure of the ships with or without permission, when a proposition was made by the Chinese, and ultimately said to be approved by the Viceroy, that an address should be forwarded by the Committee, stating the impossibility of discovering the offender, but promising, if the ships were allowed to depart, that inquiries should continue, and if the offender was discovered, that he should be punished according to the laws of England.

6. We could have no hesitation in complying with this proposition; indeed, considered it most favourable, not perhaps in immediate reference to the present business, in which we might fairly consider ourselves treated with injustice, but as establishing a most desirable precedent for the adjustment of disputes of this nature in future.

7. An address was prepared, drawn up and approved by the Chinese, and was finally delivered on the night of the 21st, and every hope afforded of the Grand Chops being issued in three or four days. All the Merchants have since continued to assert that the dispute might be considered as settled, and attributed the delay to the Viceroy having proceeded to the Bogue to negotiate with one of the Ladrone Chiefs the terms of his return to his allegiance. With this we remained satisfied for some days, but the term of the seasonable despatch having nearly expired, we were called upon either to submit to the loss and inconvenience a further detention would occasion, or to risk the difficulties possible to arise from the despatch of the ships without the permission of the Chinese Government for their departure.

8. The proposition we have made being received, and from the delay tacitly consented to, we do not apprehend any serious consequences can result from the despatch of the ships, even under the circumstances, which further detention subjects the Honourable Company to a loss it is impossible to calculate upon; on the 26th, therefore, all our papers being in readiness, we determined to deliver in the packets to the several Pursers, having previously desired the Merchants to make our intentions known to the Hoppo, who, however, did not seem disposed to expedite the delivery of the Chops, the packets were accordingly delivered, but not being provided with boats from the ships, intending to proceed, as usual, in a chop-boat, the departure of the Pursers was prevented.

9. On the morning of the 27th we transmitted a proposition to the Hoppo, stating our regret in being under the necessity of ordering away the ships without permission, and which nothing but the severe loss to which their detention would expose the Honourable Company could induce us to adopt. Letters of a similar nature were addressed also to the Viceroy and Fooyuen, and inclosed to the Hoppo, but he declined forwarding them, assuring the Merchants that an express had been sent to the Viceroy, and that an answer might be expected to-morrow. We are sorry, however, to say, that no port clearances have yet been issued; and we are consequently under the unpleasant necessity of sending away the ships without them,

10. As the ships will not be able to quit the Second Bar before to-morrow, or probably the next day, we hope the permission of the Chinese Government may yet be obtained before they pass the Bocca Tigris, which will obviate every difficulty.

11. We beg to refer your Honourable Court to our proceedings of the Seasons forwarded

forwarded a number in the packet, per *Perseverance*, for a detail of the tedious discussions that have taken place on this interesting subject, which we cannot dismiss without requesting to express to your Honourable Court the high sense we entertain of the services that have been rendered by Captain Austin on the occasion, who returned to Canton immediately on hearing of the detention of the ships, and by his able advice and assistance has rendered the most essential aid.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 1st March 1810.

Par. 2. THE Chinese Government having consented to the departure of the ships on condition that inquiries should be made, and the offender, if discovered, punished agreeably with the laws of England, we are desirous of fulfilling our part of the engagement, and at the same time are strongly of opinion that a communication on the subject from your Honourable Court, or His Majesty's Ministers, to the Chinese Government, showing that the inquiries promised have been made, might be attended with beneficial effects, we have therefore taken the liberty of requesting Captain Austin will direct such investigation among the shipping as he deems proper, and best calculated to promote the object in view. The result of his inquiries may be ascertained on his arrival in England.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 31st January 1811.

Par. 297. WHEN however we made, in consequence, our demand for the several Grand Chops of these ships in the usual manner, we had the mortification to learn that the Government had resolved to withhold them, in consequence, it was said, of our having neither delivered up the man who killed a Chinese in the latter part of last season, nor satisfactorily accounted for our refusal to do so.

298. In explanation of the circumstances which led to this extraordinary communication we must refer your Honourable Court to the particulars which we have had to record on our proceedings, both at Macao and at Canton, relative to this affair, since we had the honour to communicate what we conceived to be equivalent to its final adjustment, in our Despatch at the close of the preceding season.

299. After the reference then made of the matter in discussion to England, and the consequent departure of the ships with the permission of the Chinese Government, the renewal of the subject at present, and the demand of the surrender of the individual who had killed the Chinese last year, on the pretext that his name is now known to be "William," or something in sound resembling it, though in fact he has not even

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been proved to be an Englishman, and at all events is certainly absent, and therefore out of our controul, is no less unjust than absurd and extravagant.

300. On the whole, we confidently trust your Honourable Court will consider our address of explanation to the Viceroy, under date the 28th ult. to convey, in its full extent that just respect and deference which this Government is entitled to receive from us, and that you will accordingly approve of our determination steadily to refuse to make answer in the terms dictated by the Government, which are both false in fact and dangerous in principle, and further, disgraceful, by the implication of promises never intended or expected to be performed.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th January 1812.

Par. 11. WE are concerned to find, that the conduct of the late Committee in bringing to an adjustment the very anxious and embarrassing affair here adverted to, have not been considered upon the whole to merit the Honourable Court's approbation; but we trust that the few remarks we have to offer in further explanation of the Committee's proceedings, will prevent their continuing to appear to the Honourable Court thus censurable.

12. In the observations we have had the honour to submit to the Honourable Court, in the concluding paragraphs of our public letter of the 31st January 1811, we endeavoured to explain, and we trust satisfactorily, the very material fact, that whenever a murderer is demanded by the Chinese Government, a consequent selection and surrender of any individual into their hands, is completely equivalent in effect to a provisional sentence of death. The individual may be afterwards pardoned or not, according to circumstances; but we think there can be no question, that our act in such cases is held by the Chinese Government as perfectly conclusive, both in respect to the law and the fact; or, in other words, as competent evidence both of the identity of the offender, and his offence having amounted to murder.

13. The very embarrassing predicament in which we are thus liable to be placed, the Honourable Court cannot be altogether unacquainted with, and this we may<sup>d</sup> even infer from the paragraphs under reply, in which we are expressly instructed, that it would not be proper to deliver up an individual, who had killed a Chinese, into the hands of the Government, unless such individual had actually committed murder.

14. It is obvious that, with this limitation to the extent of our compliance with the demands of the Chinese Government, which we have always thought necessary, and which has now received the Honourable Court's sanction, any inquiry which should tend to convict an individual of the fact of killing a Chinese, without at the same time attaching to him the guilt of murder, and that in the clearest and most undeniable manner, would not only be useless, but add, in the most serious degree, to our embarrassments.

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15. In the case in question, it appeared manifest from the commencement, that no inquiry which we could institute could attain to such a certainty of the guilt of any individual, as would have warranted us in selecting him, in fact, for execution. But such an inquiry, though fruitless in other respects, would necessarily have had the effect of rendering resistance to the demands of the Chinese government more difficult, as it would have been unavoidably notorious, and would have implied an admission on our part, that the alleged guilt lay between a few persons only, and those the seamen of the Honourable Company's ship *Cumberland*.

16. It is also to be observed, that the information which excited suspicions in that quarter, was not communicated to the President until after the public examination of the Chinese witnesses had commenced, and in which considerable progress had been made in exposing the fallacy and incompetency of their testimony. We cannot suppose it would be wished that the Committee should have receded from the ground they had just gained, and thereby exposed themselves so unprofitably to the charge of inconsistency, in such a stage of the business.

17. By referring, on the contrary, the further investigation of the affair wholly to Captain Austin, and to a period in which the Chinese could no longer take any share in it, this dilemma was avoided; and it was also hoped, that the ends of justice would have been equally satisfied, as it was certainly not foreseen that the law of England would not even allow the men to be put on their trial.

18. The advantageous nature of the proposal which the Chinese were induced to make in consequence of a system of conduct thus adopted, is indeed remarked by the Honourable Court, and we cannot but felicitate ourselves upon the satisfactory adjustment that followed. What would have been the consequence of a line of proceeding, which would have given them a pretext for supposing that the culprit had really been discovered, it is impossible to say; but we cannot avoid expressing our full persuasion, that under any circumstances whatever, an adjustment effected by the delivery of an individual into the hands of the Chinese government, would have been in its general consequences infinitely disastrous and unfortunate.

19. The case is perhaps different where the circumstances are so clear and unquestionable, and the government itself fixes upon and demands the criminal; but under the circumstances we have stated, namely, a mere demand for a murderer to be given up, we cannot but submit to the judgment of your Honourable Committee, whether, without a violation of the laws of our own country, we can, in any shape, comply therewith. Whether, in short, we are warranted in exercising those judicial functions, which the selection and surrender of an individual, in compliance with such a vague demand, would seem to imply.

20. We trust your Honourable Committee will not deem our scruples on this occasion excessive; an occasion in which the life or death of an individual, and the honour or dishonour of our national character might be at stake; and we trust also, that under this explanation it will appear to your Honourable Court, that the line of conduct adopted was, considering the exigencies of the case, the only one consistent with the character and interests of our honourable employers, and of the British nation; and we beg to add in conclusion, that we feel assured, that had your late Committee been tho-



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roughly satisfied upon authentic grounds of the facts of which a knowledge is imputed to them, such facts would undoubtedly have been communicated to our honourable employers in their public or secret dispatches.

21. After an attentive perusal of these instructions, and also of the letter of which a copy is also transmitted for our inspection, and the fullest consideration of every circumstance connected with it, we have conceived ourselves entitled to conclude, that in the present instance the sole object in view in making such a communication, is to satisfy the Chinese government respecting the circumstances of the death of the native, supposed to have been killed by an English seaman, and respecting the measures taken in England, in consequence of the charge to that effect.

22. The letter addressed to the Viceroy upon this delicate subject is, doubtless, penned with all imaginable caution and propriety; yet it was impossible at such a distance of time and place to be certain of anticipating the views and disposition of the government.

23. We confess, therefore, that since the affair is now apparently at rest, we not only feel great unwillingness to do anything that might tend to revive it; but we feel also some apprehensions of the improper advantage that might be taken, or evil purpose facilitated, even by the mere admission made in the letter, that the three of the seamen of the Cumberland were found liable to suspicion; especially as that admission is unaccompanied by any decisive report upon their guilt or innocence.

24. The peculiar circumstances of the case rendered it no doubt difficult, we may say impossible, to give detailed explanations in writing, which, without a violation of truth, would be at all likely to satisfy the extravagant claims of the Chinese government.

25. We conceive, therefore, that such explanations as may be necessary had better, if possible, be given verbally, and in the most general terms; and we think that the latter, if claimed at any time by the Chinese, may be said to have been intended only for the former Viceroy, under whose government the accident happened, and withheld on that account.

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(1.)—COMPANY'S SHIPS DETAINED, IN CONSEQUENCE OF THE HONG MERCHANTS  
REFUSING TO SATISFY EXTORTIONATE DEMANDS OF THE HOPPO.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 31st January 1811.

Extortions of  
Hoppos.

Par. 288. THE various delays which protracted the period of the present despatch considerably beyond the date which we ventured to anticipate as the latest, in our short address to your Honourable Court of the 10th ultimo, require us to enter in this place into some explanation of their causes, more especially as the question how far the evil

evil is capable of remedy, is certainly deserving of your Honourable Court's serious consideration.

289. In the first place we have to observe, that instead of the regular and uniform progress in the lading our ships to which we have formerly been accustomed, we have frequently experienced interruptions in respect to particular ships, and these at one time, without any reason assigned, amounted in fact to an actual stoppage of the whole of the Honourable Company's trade.

On remonstrating with the merchants against this unwarrantable and vexatious treatment, they were unanimous in acknowledging that the detention of our ships was a measure of the Chinese government, not directed against us, but against themselves, in consequence of the absolute inability of most of them, and the actual refusal of all, to satisfy the extortionate and continually increasing demands of the Hoppo, for the purchase of various articles of clock-work, and mechanism imported on our ships, and usually denominated "*Sing Songs*," and which, it seems, are now become the established vehicle of corruption between that officer and his superiors of the capital.

291. It was further stated to us, that being thus invariably called upon by the Hoppo to purchase these articles for his use at any price, and to an enormous amount, their importation into China was become a grievance to the merchants generally, of the most serious nature; in consequence of which, Puikua, our senior merchant, added, that he had now earnestly to request in his own name, and in that of the others, that we would represent this circumstance in our next despatches to our honourable employers, and suggest the adoption of some effectual measures for preventing the future shipment of articles of this description for China, in any vessels in the service of the Honourable Company.

295. Waving, however, the further discussion of these questions, we informed the merchants, in conclusion, that to a measure so prejudicial to the interests of the Honourable Company, as this interruption to the lading of the ships, no differences which might exist between the Hoppo and the merchants, much less those of the disgraceful nature they had related, would induce us to submit; and that we should accordingly make a formal appeal on the subject to the government, unless the trade was very shortly allowed to proceed.

296. Such an appeal, however, did not prove necessary, as the trade, through some compromise, probably between the Hoppo and merchants, was re-opened almost immediately after; and in a few days, the lading of all the ships intended to be included in the present despatch, completed.

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Extortions of  
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# EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th February 1811.

Par. 8. Our proceedings transmitted by this Despatch, will convey to your Honourable Court information up to the 31st ultimo, of the several circumstances connected with the vexatious and unwarrantable detention of the ships of the present fleet have been subjected by the Chinese Government.

9. Having

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9. Having been unsuccessful in our subsequent endeavours to prevail upon the Merchants to deliver to the Viceroy and Hoppo our written remonstrance against the unjust procedure, we found ourselves under the necessity of having recourse to the less regular and usual mode of effecting the object in view, by means of a deputation to the city gates.

10. This service was successfully executed by Mr. Parry and Captain Lindsay, who proceeded to the gates of the city at our request on the 2d instant, accompanied by a party of the gentlemen of the Factory and the Commanders and Officers of the Honourable Company's ships. The party finding no material obstruction on entering, were enabled to advance as far as the Hoppo's Palace, where Mr. Parry and Captain Lindsay had the satisfaction of presenting our address personally to his Excellency, as is more particularly stated in Mr. Parry's Report, a copy of which we have the honour to enclose.

11. The address was returned to us by the Merchants the same evening, without any specific promise of a compliance with our request; but the tenor of our application and the public manner in which it had been presented, had evidently produced a considerable sensation, as it was immediately followed by an offer to receive from us explanations in reply to the demand of the surrender of the murderer of the Chinese of the last season, considerably less objectionable than any proposed at a former period.

12. Another letter was accordingly addressed to the Viceroy and the Hoppo, in substance indeed the same as our proposed address of the 28th of December, long since rejected; but yet in terms, which the Merchants now assured us, would be considered sufficiently satisfactory.

13. As a day or two were again suffered to elapse, and difficulties still alleged to exist against the delivery of the Grand Chops, it was at length intimated to the Merchants, for the information of the Mandarins, that however desirous we were to pay every due deference to the regulations of the Chinese Government, our submission to a detention of our ships so perfectly unjustifiable, and so injurious to the interests of our employers, could not continue much longer, and that they must accordingly be prepared for the event of our despatching the fleet, even without the usual permission, should the government determine to reduce us to that unpleasant alternative.

14. Whether conscious of the impracticability of preventing the despatch of our ships, if seriously determined upon, is the circumstance which has given to the above intimation the effect intended, or whether the Merchants have been ultimately obliged to purchase the consent of the officers of government by a submission to further extortion, we are unable to pronounce; but it is certain, that the first positive assurance that the Grand Chops would be issued, was to all appearance the immediate consequence of the communication in question.

15. Having this day received the Grand Chops of the several ships, agreeably to the above assurances, we have much satisfaction in being enabled to announce the same to your Honourable Court, and shall have the pleasure of transmitting forthwith our final Despatches to the respective commanders.

(5.)—TRADE OF THE SEASON DELAYED IN CONSEQUENCE OF THE VICEROY DIRECTING THAT MR. ROBERTS, ONE OF THE SELECT COMMITTEE OF SUPRACARGOES, SHOULD LEAVE CANTON.

(E.)  
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Grievances, &c.

Delay of Trade.  
Mr. Roberts.

Secret Department.

EXTRACT LETTER from J. F. ELPHINSTONE, Esq., to the Honourable the Chairman of the East-India Company, dated Canton, 23d December 1813.

Par. 2. IN consequence of having been engaged in a discussion with the Chinese Government, our commercial proceedings were suspended till about the 10th instant, as the Select Committee did not consider it to be expedient to land any of the Honourable Company's cargoes till the point in question was adjusted.

3. The discussion arose from a report that the former Viceroy Pé made to Peking at the close of the year 1811, when stating to his Imperial Majesty the failure of Gnewqua's and Ponqua's Hongs, and proposing the punishment of Ashing.

4. On the arrival of Mr. Browne, and hearing of the intended return of Mr. Roberts to Europe, the Viceroy Pé appears to have obtained a statement from the Merchants that the conduct of Mr. Roberts in Gnewqua's and Ponqua's affairs, together with his opposition to the Chinese Government, had been displeasing to the authorities in England, and that he had been removed accordingly. Seizing on this circumstance to give a colour to his most unjust proceedings towards Gnewqua, Ponqua, and Ashing, when making his report to Peking of their alleged delinquency, and proposing their being banished, the Viceroy Pé at the same time recommended that Mr. Roberts, as having also violated the laws and regulations, should not be permitted to return to China.

5. No notice whatsoever was taken of these prohibitions while the former Hoppo remained in Canton, neither did it occur to the Viceroy to make the least objection to Mr. Roberts coming to Canton, when application was made for that purpose last season; and it appears the objections now started by the Viceroy proceeded from the suggestions of some of the inferior persons connected with his office, and the Viceroy, not aware at the time of the consequences, acquiesced in the publishing an official Edict, requiring Mr. Roberts to leave China.

6. The conduct and disposition of the Hoppo, on his first arrival in Canton, was so decidedly hostile to Europeans, that the parties suggesting the renewal of the question to the Viceroy, were assured their measures would not be opposed by the Hoppo, as he was impressed with the belief that the more violent and arbitrary he was towards Europeans and the Merchants, the better was his chance of profiting by extortion.

7. This attempt at interference on the part of the Chinese Government, involving essentially the interests of the Honourable Company, as it amounted in fact to placing their servants under the control of the Chinese (the only illegal act alleged against Mr. Roberts was that of having advanced money on contracts), the Committee considered was to be resisted, and in the most decided manner in their power, and consequently all commercial intercourse was declined until the Viceroy should officially rescind and withdraw his prohibitions respecting Mr. Roberts, and fully aware that  
nothing

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nothing is to be expected from the justice of the Chinese officers, we could only hope to establish our point by firmness and perseverance.

8. By renewing this subject, the Viceroy soon found himself placed in rather an embarrassing situation: for in complying with our demands or doing what justice required, was reflecting on the conduct of his predecessor Pé, who he did not wish to offend. After a considerable delay, and resorting to various expedients to establish his point, or rather to preserve appearances, by repeating his Edicts and Orders for Mr. Roberts to leave China, the Viceroy finding that the Committee were determined to decline all commerce till the prohibitions and objections were officially rescinded and withdrawn, at length gave way, and an official document was delivered to the effect required, not altogether satisfactory in European estimation, but considered by the Chinese as being amply sufficient, and entirely disavowing all right to interfere; and we hope it will prove so by preventing the recurrence of any similar attempt on the part of the Government in future.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated the 22d February 1814.

Par. 134. Your Honourable Court has already been informed of the discussion in which we were engaged with the Government from the latter end of September, and which was finally arranged about the 10th December.

135. The objections made by the Chinese to Mr. Robert's discharging the duties of the situation to which he was appointed by your Honourable Court are fully recorded.

We consider it necessary for the preservation of the interests of our employers, most decidedly to resist an interference of this nature on the part of the Canton Government, which could not, without the greatest danger to the interests of the Honourable Company be permitted to be exercised.

136. On the receipt of the Viceroy's Edict we determined to adopt such measures as we hoped would prove effectual in inducing the Canton Government to withdraw their objections.

137. The cargoes belonging to the Honourable Company were not permitted to be landed from the ships, and an early opportunity was taken to make it known that, until the Viceroy's Edict was officially rescinded, we would persevere in our measure of declining all commercial intercourse.

138. The various expedients resorted to by the officers of government in order to induce us to relinquish our objections and concede the point, are fully detailed on our proceedings. From these it will be seen that the Viceroy was finally induced to withdraw his prohibitions, and officially rescind the orders he had given relative to Mr. Roberts.

139. Although the document published by the Viceroy on this occasion was not altogether satisfactory, yet it was considered fully as much as we could expect, unless perhaps a much longer interruption had been persisted in; and under the full persuasion, however unsatisfactory the expressions in the official documents might be, that we had, in fact, gained what we had proposed, namely, that of having convinced the Chinese

Chinese, be the consequences what they might, so improper an interference would never be permitted; and we consider it inexpedient to decline any longer unloading the ships, since which time our business has proceeded without any material interruption.

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EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 22d February 1814.

Par. 25. UNDER this date \* is recorded a letter from Goqua, which relates to the subject which occasioned a discussion with the Chinese Government.

26. In our proceedings in this department under several dates in the margin,† as also in our public department, are fully detailed the measures we pursued throughout the discussion, in which it will be seen that our refusing to unload the ships until the Viceroy should officially rescind the objections he had made to Mr. Roberts's holding the situation to which he had been appointed, finally succeeded in obtaining an official document, not altogether satisfactory, although we may hope it will be sufficient to prevent any attempt of a similar nature at a future period.

27. By the publication of the Viceroy's Edict of the 2d of December, we were happily relieved from the necessity of taking into consideration the adoption of the measure proposed in Mr. Elphinstone's Minute, of withdrawing the Honourable Company's ships, for the purpose of more effectually representing what we had to complain of to the Government of Peking. Carrying on an extensive commerce, sufficient to excite the rapacity of the officers of government, protected by no laws, but, on the contrary, such regulations as are made, so vague and undefined as to admit of any interference or interpretation that a corrupt and despotic government may be disposed to give them, our only hope of preventing the recurrence of these attacks is by a firm and decided resistance.

28. Although we cannot but regret the delay which was occasioned, we must observe, it appears to have prevented our being subject to many interferences we might otherwise have been exposed to from the Hoppo. The very violent and arbitrary manner in which he commenced the functions of his office was sufficient to show what would have been his conduct had he not been checked. From the time of our commencing unloading the ships no interference or interruption worthy of remark has been experienced.

(6.)—FIRST LIEUTENANT OF HIS MAJESTY'S SHIP INDEFATIGABLE, ATTACKED WHILE ON SHORE, AND SEVERELY ILL-TREATED BY THE CHINESE.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 10th January 1812.

Par. 298. THE particulars will be noticed by your Honourable Court on our proceedings of this season, of an appeal which we had occasion to make to the justice of the  
the

Ill-treatment  
of a King's officer.

\* September 25.

† October 28. Nov. 2, 5, 8, 13.

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the Chinese Government, in concurrence with Captain Briggs of His Majesty's ship *Clorinde*, in consequence of the First Lieutenant of the *Indefatigable* having been attacked and severely ill-treated, and also plundered of a gun by the Chinese on shore, near the anchorage at Chunpee.

299. It is satisfactory to be enabled to add, that in this instance, not only very great readiness was shown by the officers of Government to attend to our complaint, but complete redress actually obtained, the principal offender having been secured and brought to Canton, and the gun recovered and restored to the Captain of His Majesty's ship *Indefatigable*.

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(7.)—RESPECTING THE EMBARRASSED CIRCUMSTANCES OF SOME OF THE HONG MERCHANTS.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 2d March 1813.

Embarrassments  
of the  
Hong Merchants.

Par. 2. WE have noticed in this department the proceedings of the European creditors of the Hong of Consecqua, Exchin, Manhop, Poonequa and Goqua, and the arrangements which they have made for the recovery of their debts; having for the chief object the equalizing the claims on these Merchants with respect to the interest, and from such funds as may arise to the Merchants in the course of their commercial transactions, an equal distribution will be made among the claimants.

3. This arrangement, which is equitable as far as the parties are concerned, will have the effect of relieving the Merchants from the pressing importunities of any of their European creditors. The alternative which was left at the option of the European creditors, was an application to the Chinese Government for the payment of their debts, which would have occasioned the bankruptcy of the Hong, and much inconvenience and delay to the Honourable Company's affairs would probably have arisen during the present season. The funds from whence these debts would be charged must be raised by the imposition of further duties on European Commerce. From the state of the commercial relations of other nations with China at present, the tax must have fallen heavily on the Company's trade, under these circumstances we consider the arrangement to be the most beneficial for the Honourable Company's affairs which could have been adopted, and consequently fully deserving every assistance which we may have it in our power to afford.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 31st March 1813.

Par. 10. WE noticed in our proceedings in this department a message which the Hoppo had sent through Pinqua, relative to the re-establishment of Chunqua's Hong, in the Honourable Company's employment. On a visit which his Excellency lately paid at the Factory, he again introduced the subject, and requested that Chunqua might be readmitted; not altogether approving of this interference, it was merely observed in reply

reply, that the Committee had not at that time determined on these arrangements, but when concluded the result would be communicated to his Excellency.

11. In the present circumstances of the trade, together with the former conduct of Chunqua, we perhaps had no great cause to wish for a renewal of intercourse; at the same time, from the anxiety which Chunqua has evinced to be again admitted to the Company's business, it may be fairly presumed that he will be extremely cautious of taking any measures which may deserve the reprobation of the Committee, and it is to be hoped that his future conduct will be such as to give no cause to regret our having acceded to his request; the proposition of business which we have allotted to Chunqua is about two shares.

12. With the exception of Pinqua, to whom we have appropriated four shares, and of Mowqua, who has three, the proportions of the business allotted to the other Merchants are the same as before. The introduction of Chunqua is provided for by the addition of two shares to the former number of twenty.

13. The situation, however, of many of the Hong Merchants is such (being considerably indebted to Europeans) that we do not consider it to be advisable to adhere to a strict distribution of the business in the shares as here specified.

14. The profits arising from the trade which these Merchants may be enabled to carry on with Europeans, is the source from whence their debts are to be liquidated (unless application is made to the Government, when their debts will be discharged by the body of the Hong Merchants from funds arising from the imposition of further duties on the foreign trade), consequently it becomes desirable to throw as large a proportion of business into the hands of the Merchants thus situated, as may be done consistent with the interests of the Honourable Company, and without detriment to the investment.

15. The manner in which the contracts are now made, by the Tea Merchants communicating to us their arrangements with the Hong Merchants, for whom we in fact become responsible, the necessary advances on the contracts being paid to the Tea Merchants from our treasury; and on the teas being weighed and received, the long-ells for the amount remaining due being delivered at once from the Factory, the confidence of the Tea Merchant and the credit of the Hong Merchant (as far as relates to the transaction) is completely established; and there appears no cause to apprehend that the teas will not prove to be equally good with those delivered by other Merchants. We have considered it therefore expedient to limit the division of the business in the shares specified, to the amount of the teas actually required by the estimate, and to divide the further provision of Congo which it is advisable to contract for, among the Merchants, Conseequa, Exchin, Manhop, Poonequa, and Goqua.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 22d February 1814.

Par. 167. We have at various times had the honour to detail to your Honourable Court the situation of the majority of the Hong Merchants; their situation at the close of 1806-7 was that of complete insolvency.



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168. In the seasons immediately following, their true situation became at first suspected, and then fully ascertained, and on their credit failing them entirely, they became exposed to all the harassing importunities and distress which was to be expected would take place from their numerous creditors.

169. On the loss of their credit their commercial transactions became daily more embarrassed; that part of the Honourable Company's investment which those Merchants had to provide became injured in quality, and was obtained with difficulty; the sums required for duties, and which must be paid, were not forthcoming, and the ruin of five Hongs, viz. Consecqua, Exchin, Manhop, Poonequa, and Goqua, appeared inevitable.

107. It then becomes a question for the consideration of the Committee, whether it was expedient for the interest of the Company and the trade generally that these Merchants should be allowed to fail, or by stepping forward to their assistance, exertions should be made to uphold the Hongs, and that such profits as might arise from their commercial transactions should be applied to the liquidation of their debts. By the failure of so many Hongs, debts due to the Honourable Company and individuals, amounting in the aggregate to nearly four millions, would have remained to be adjusted, such part as the Government might have thought proper to acknowledge would have been ordered to have been paid by the remaining Merchants, probably in ten years; who, in their turn, would have laid additional taxes on the foreign trade to meet the annual instalment. The loss, together with the serious injury which must have been entailed on the Company's and foreign trade was obvious; and the Committee were of opinion that it was for the advantage of the interests more particularly committed to their charge, as well as to the general interests of all parties concerned, that the Hongs should continue.

171. In coming to this decision, the Committee could not but be aware of the many difficulties to be encountered, the trouble and responsibility which they were imposing on themselves to carry on trade with Merchants so situated, there remained but a choice of evils, and it was their duty to adopt what appeared least likely to injure the interests committed to their charge.

172. Considerable difficulty was experienced at first in avoiding the payment of fees and donations to the officers of Government; these difficulties were immediately lessened by the mild and moderate conduct of the late Hoppo Te-ta Zin.

173. On adopting the resolution to support the Merchants, the Committee considered it their duty to resist the application of the private creditors to be allowed a participation at once in any advantages that might arise from their transactions with the Merchants, conceiving that the Company had full right to require that the profits arising from their transactions with these Merchants, should, in the first instance, be solely appropriated to the liquidation of their claims. On their amount being cleared off, it would remain for the Committee to afford any assistance in their power to private individuals. It may be here proper to observe, that the conduct of the private creditors throughout merits commendation. No measures were proposed to be adopted without a previous reference, to know how far such measures might be approved by the Committee.

174. From the situation of the Merchants it must be evident to your Honourable Court, that they possessed no resources within themselves from whence their balances could be paid off, and that the liquidation of their several debts to the Company could only be the work of several seasons. The payment of duties, the advance on contracts, and

and all other charges have been made from our treasury; and having, as your Honourable Court are desirous should be done, reduced their respective accounts with the Company, we are unable to concur in the remark of the 52d paragraph, under reply, that the Merchants are in a much worse situation than they were in 1809-10. On the contrary, we are disposed to think their circumstances are much improved, their embarrassed situation being publicly known, and they themselves are now fully aware that their re-establishment depends entirely on their good conduct and economy; and in addition to this, as far as the Company's investment is considered, we have established such an intercourse and understanding with the Tea Merchants as greatly advances the credit of the Junior Merchants of the Hong, and will prove of essential benefit in our future transactions.

175. With respect to the advances made on contracts, we believe that they do not exceed what was customary in former periods. Interest equal to one per cent. per month is charged on the sums so advanced, and consequently no loss can be said to arise.

176. We have been under the necessity of making, in the present season, advances on the payment of duties, to prevent the failure of the Hong of Fatqua. Our dealings with that Merchant are not extensive, but we hope by care and attention in his business, it will not be long before he clears his debt to the Honourable Company.

177. Our utmost exertions are used to limit the amount of our advances to the Merchants: their indispensable demands must be complied with; but on the economy with which their affairs are transacted depends chiefly the success of the present plan adopted for the payment of their debts.

178. We are unwilling to suppose that Goqua would have readily or on light grounds resorted to this measure, but at the same time, a certain pressure, arising from inability to pay his duties, which would endanger the Hong, might have proved too great to resist the temptation of appropriating funds passing through his hands, and we trust your Honourable Court will deem this a sufficient reason for the apprehensions expressed, and the advance made.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 16th January 1815.

Par. 12. It is unnecessary for us to repeat the probable consequences of so many of the Merchants becoming bankrupts, and the heavy additional taxation that would fall on the trade, to enable these debts to be discharged. Our anxious endeavours have been constantly employed to give full effect to the arrangement.

13. We have met with difficulties proceeding, as we believe, from the jealousy of the Senior Merchants, and their desire to engross the European trade, these difficulties have been increased by a want of energy and conduct on the part of those Merchants whose Hongs we are endeavouring to sustain. We have only to rely on our own firmness and determination in resisting any attempt that may be made, and when the Senior Merchants are convinced that we are resolved to persevere in the arrangement, we may hope to be allowed to carry it on without molestation.

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Hong Merchants.**EXTRACT LETTER** in the Public Department, from the **SELECT COMMITTEE** at Canton to the Court of Directors, dated 16th January 1815.

Par. 68. We have on other occasions so fully stated to your Honourable Court the many and serious consequences to the Trade that must inevitably ensue from the failure of so many of the Hongs so deeply indebted, and whose debts would fall on the European trade. We will confine ourselves at present to the remark that, under existing circumstances, we consider the advances made to enable the Merchants to discharge their duties to Government, and also the requisite advances to defray the disbursements of their respective Hongs, to be as necessary and expedient as any payments made to the Tea Merchants and others, in return for goods actually delivered; at the same time we had a right to expect, that the officers of the Canton Government would consider the advances made in a liberal point of view, and refrain from unjust practices, especially when these more particularly affected us; but from the officers of the Chinese Government we know, from experience, neither rectitude of conduct, or liberality of sentiment can be expected; when an officer enters on his situation, his attention is not excited to a due and just performance of its duties, but to the profits that may accrue from it.

69. The officer whose conduct has called forth the remark made by your Honourable Court, was notwithstanding, a mild and moderate man compared with his predecessors; and, although we experienced several vexatious interruptions, there was at all times a great readiness shown by the Hoppo Le to receive, discuss, and adjust any complaints we might have occasion to carry before him, and, on the whole, we should be well pleased to see the office filled by him again.

**EXTRACT LETTER** in the Secret Department, from the **SELECT COMMITTEE** at Canton to the Court of Directors, dated 11th March 1815.

Par. 12. We are wholly unable at the present moment to hazard an opinion as to what may be the Viceroy's course of proceedings in regard to the Hongs of the Junior Merchants; we cannot but indulge a hope, that the more accurate information that we suppose he must have obtained, together with the obvious policy of permitting the Junior Merchants to continue, will operate on the decision of the Viceroy, in permitting their Hongs to continue as before.

13. The question, as it relates to Sir George Staunton, we understand is considered to be completely set at rest, by the clear and strong statement made by the Merchants; the Viceroy, it is said, most fully concurred in the tenor of the document, and that it was immediately transmitted to Peking; we cannot but hope that the Viceroy's views on the other points connected with the foreign trade have undergone a favourable change.

14. We should greatly regret giving your Honourable Committee grounds for believing that the situation of the Honourable Company's affairs and interest in China were in a more favourable state than is really the case; we have considered it necessary therefore, to take the earliest opportunity of laying every document before your Honourable

nourable Committee, from whence it will be seen, the attempts that have been made to overturn the present system of the trade, the change that was proposed to be established, the measure we have pursued in the hope of defeating the attempt, and the danger that still threatens the Honourable Company's interest, and the trade generally at Canton.

15. The measure of suspending the commercial intercourse (particularly should it be necessary for any length of time) is attended with such injurious effects, that nothing but the conviction that no other measure is left for our adoption, in order to obtain forbearance on the part of the Chinese Government, can justify our resorting to it, and for the efficacy of the measure we depend only on the consequences that may be supposed will arise to the Chinese Government from so extensive a trade being suddenly interrupted.

16. Your Honourable Committee will not fail to appreciate the difficulties experienced in conducting so extensive a trade, exciting the views and interests, and exposed to the intrigues of designing persons, protected by no laws or regulations, while the superior officers of the provincial government are leagued with or assisting the parties acting against us. To resist such a combination the Committee alone can scarcely be expected to prove equal, and it will be for your Honourable Committee to determine on the measures best calculated to support and preserve the Honourable Company's interest in China.

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Hong Merchants.

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EXTRACT LETTER in the Public Department. from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 12th March 1815.

Par. 38. WE have lately been informed by Conseequa and the Junior Merchants that they are under considerable apprehensions, in consequence of Edicts which have been received from the Emperor and the Viceroy, relative to the foreign trade, and to their Hongs in particular. They stated that the Merchants indebted to foreigners are ordered to be removed.

39. We requested that the documents might be put into our possession, which request the Merchants have declined compliance with, in consequence, as they have privately assured us, of the advice of the Hoppo.

40. By a second Imperial Edict, relative to the foreign trade, we understand that the removing of such Merchants as are indebted to foreigners is again mentioned, and we understand that the Emperor positively directs Puankequa to resume the situation of First Merchant.

41. A measure so unjust, and so manifestly injurious to the interests of the foreign trade at Canton, as breaking the Merchants who are indebted to foreigners, and whose heavy debts must necessarily fall on the trade in the shape of duties, we consider it to be our bounden duty to oppose in every way in our power.

42. From the experience we have had of the conduct of the Government and the Merchants, during the last season and the present, whether proceeding from machinations of some among the Merchants, added to the want of exertion in others, or the hostile and unfriendly disposition of the superior officers of the Canton government, it appears

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appears probable that the return of Puankhequa may be attended with beneficial effects, as we may hope he will have the power of repressing any evil designs, while his known firmness will enable him to explain affairs more freely to the officers of Government.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 9th April 1815.

Par. 7. WE have the pleasure to acquaint your Honourable Court, Puankhequa has resumed the situation of First Merchant, in obedience to the Imperial Decree.

8. On our Consultations, under date the 2d instant, your Honourable Court will find detailed the particulars of an interview we had with Puankhequa and the other Merchants on that day, relative to the affairs of the Hong that are indebted to Europeans.

9. We have already acquainted your Honourable Court with the serious consequences which we apprehended would attend the removal of the Junior Merchants, and that we should consider it our bounden duty to resist such a measure on the part of the officers of Government by every means in our power.

10. We have the satisfaction to state, that we have since been informed by Pinqua, that the Hoppo has expressed himself to be fully aware of the embarrassment that would arise to the general trade of Canton, should the measures proposed be carried into effect, and that he has promised to use his utmost endeavours to obtain the Viceroy's concurrence to the support of the Junior Hong, on the return of that officer from the tour of inspection in which he is at present engaged.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 9th April 1815.

Par. 4. ON the 4th instant we had the satisfaction to hear through Pinqua, that the Hoppo had given him the strongest assurances of his intentions to support the Junior Merchants, as far as was in his power, and that he should spare no entreaties or arguments in inducing the Viceroy to concur. He proposed to avail himself of an early occasion after the Viceroy's return to Canton, as he is at present absent on a tour of inspection.

5. The assurances of the Hoppo, so strongly and unequivocally expressed, have had the effect of removing, in great measure, the doubts that the various reports respecting the intentions of the Government towards the Junior Merchants had excited; and we were in consequence enabled to assist the Junior Merchants in their arrangements with their European creditors, by granting bills on the Honourable Court for the amount of the balances due to them, together with a further sum beyond the amount which we were actually indebted; and in consideration of all circumstances our bills were drawn at a rate of 5s. 6d. per dollar, payable in twelve months.

6. The

6. The communication made by Pinqua will further enable us to proceed with the necessary arrangements for providing the investment of the ensuing season; and as the period of making the advances on the Twankays is arrived, our contracts with the Merchants will be made immediately after the sailing of the Scaleby Castle.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 30th April 1815.

Par. 4. In compliance with the orders of this Government, Puan-khe-qua has taken charge of his Hong, having effected, through superior address with the Viceroy and others of the officers of the Government, the complete exclusion of his brothers and other branches of his family, who before participated in the profits of the Hong.

5. In consideration of Puan-khe-qua's former situation, we proposed in our division of the business to allot to him the proportion annually appropriated to the First Merchant, but on our intentions being communicated, Puan-khe-qua declined doing business to this extent, on the plea of want of capital (unless we would assist him with advances), and further, that we must stipulate to pay up the amount of his teas at the close of the season.

6. We must observe, that Puan-khe-qua advanced another argument, which, could it be relied on, does him more credit, which was, that he was unwilling to interfere with our arrangements respecting the Junior Merchants, as by the extent of their dealings with us their circumstances and credit were chiefly to be restored.

7. Under the unusual stipulation of his account being paid off at the close of the season, and which we cannot possibly suppose the real state of his capital to warrant, together with the obvious policy of assisting the Junior Merchants, the wishes expressed by Puan-khe-qua to engage in business with us on a more limited scale than we had proposed, were readily acceded to.

8. The conduct of Chunqua, in the opinion of the Committee, was such as to merit the severest marks of their displeasure; and an entire discontinuance of all commercial transactions between the Company and Chunqua would have been the proper return for his unjustifiable proceedings towards us. On the return of Puan-khe-qua, however, we did not feel altogether confident as to the line of conduct he might think it proper to pursue; and as Chunqua appeared to us to promise the best, if not the only check on Puan-khe-qua, should he propose to embarrass the trade with restrictions, we deemed it rather politic to continue our business with Chunqua. Accordingly we made contracts with him to the same extent as in this season.

9. After the experience we have had of Chunqua's conduct, it is apparent that no reliance can be placed on him, and it will require a considerable period of service to remove the unfavourable impressions that his conduct has given. We must hope that the sums of money that these intrigues cannot but cost him, together with the failure of the ends proposed, will induce him to see his real interests, and urge him to use such influence as he may possess with the officers of Government in disposing them favourably towards that trade by which he benefits.

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10 With the exception of a reduction from Pinqua's business, who is considered as the second Merchant in our division of business, the allotment to the other Merchants was the same as in this season.

11. We are still unable to speak decidedly of the Viceroy's intentions respecting the Junior Merchants. Since his return to Canton we understand he has expressed his intention of making inquiries into the state of the Merchants' accounts with foreigners; but we believe he cannot but be now fully aware of the impolicy of carrying his former intentions of removing these Hongs into effect.

12. In the course of the communications which have passed on this subject, we have had opportunities of hearing indirectly that the principal officers of the Canton Government, as well as the Hoppo, were fully aware of the expediency of the Government not interfering with the Hong Merchants. The question, however, appears to rest entirely with the Viceroy to decide, and it is much to be regretted that the presumption and obstinacy of his character is unfortunately such as to leave the question still in doubt.

13. We are unwilling to anticipate evils, but in the event of the Junior Merchants being removed, the strongest appeal against the Viceroy's injustice will be required from us; and we should hope a subject of such importance could not fail to excite the attention of the Imperial Government of Peking, where we must further hope the conduct of the Viceroy towards us, in this and in the preceding season, would meet with severe censure.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 12th October 1815.

Par. 25. We have much satisfaction in acquainting your Honourable Court, that the question relating to the continuance of the Hongs of the Junior Merchants is considered as being finally settled, the Viceroy having made such a report to Peking, as will ensure a favourable reply from the Imperial Government; and we beg to offer our congratulations on an arrangement effected in opposition to great and peculiar difficulties, and of the most material importance to the British commercial interests generally at this port.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 3d December 1815.

Par. 7. We have transferred to our Public Department the several documents and our proceedings on the question of the continuance of the Hongs of the Junior Merchants, and as far as we can judge from appearances at present, we believe we may congratulate your Honourable Committee on the favourable termination of that highly important question.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 12th January 1816.

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Par. 143. THE approbation that your Honourable Court have been pleased to express of the measures adopted, and of the arrangements made to enable the Junior Merchants to carry on their business, affords us the highest satisfaction.

144. We have on former occasions so fully submitted our sentiments on this subject to your Honourable Court's consideration, that it is scarcely necessary for us here to repeat, that the continuance of the Hongs in question we consider to be of the greatest importance, not only to the interests of the Honourable Company, but to the foreign trade generally. We hope that no circumstances will be permitted to occasion any material interference or interruption in the arrangements at present existing for the extrication of the Junior Merchants from their embarrassments.

145. Our discussion with the Chinese Government during the last, and at the commencement of the present season, having been already transmitted, your Honourable Court will have been enabled to judge how powerfully the present system for the continuance of the Junior Merchants in business was assailed, first by the provincial officers, and afterwards with the authority of the Peking Government.

146. From the tenor of our communications during the last season, your Honourable Court will have observed that we considered the discussions in which we were involved not only during that period, but also in the year preceding (when the question relative to Mr. Roberts was agitated), to have had their origin in a plan for the removal of the Junior Merchants, when the arrangements made for their extrication from their embarrassments must necessarily have ceased.

147. The project to effect the removal of the Junior Merchants was very deeply laid, and very powerfully assisted, first by the superior provincial officers, and subsequently by the Imperial authority; and we believe, from what has since occurred, that nothing but the superior officers of Government becoming convinced that the removal of the Junior Merchants would be followed by the suspension of the foreign trade, preserved them from being declared bankrupts, and sent into banishment.

148. On our Public Proceedings, under date the 1st December, the official reply of the Viceroy and Fooyuen to the Emperor on this subject is entered; this document, we are informed, may be considered conclusive as to the continuance of the Hongs of the Junior Merchants, and we hope that they are not likely to be again disturbed.

149. Under the conviction that it is of the highest importance to the interest of the Honourable Company that the Junior Merchants should be extricated from their embarrassed situation, we shall not fail to consider it our special duty to afford every possible assistance in forwarding so desirable a measure, and in giving effect to such arrangements as the trustees may have in view for that purpose.



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**EXTRACT LETTER** in the Secret Department, from the **SELECT COMMITTEE**  
at Canton to the Honourable Court of Directors, dated 23d February 1816.

Par. 11. Your Honourable Committee will see recorded on our Public Consultations a translation of the Imperial Edict in favour of the Junior Merchants, which we trust may be considered conclusive of their future stability.

12. Our faith in this document, together with a conviction that the general interests of the trade require us to give every possible effect to the instructions of the Honourable Court in favour of supporting the credit of the Junior Merchants, have induced us to give them the aid of the Honourable Company this season towards the discharge of another instalment of their debt to their European creditors, although the large arrear due by them for the amount of the duties advanced by Pinqua and others, upon the Company's security, might otherwise seem to demand our prior and exclusive attention for its liquidation.

13. But we have considered it our duty on no account to allow the favourable effect upon their credit, arising from the late Imperial Edict, to be counteracted by the discouraging circumstance immediately following, of their total failure in respect to a present dividend, and which failure might have the effect of reviving, in the minds of impatient and ill-judging individuals, a wish to resort to other more summary modes of obtaining, or of at least applying for justice against the Hong Merchants, and whose effects, whatever they might be to the creditors themselves, we know would be decidedly and unequivocally pernicious to the interests of the Honourable Company.

14. The arrear for the amount of duties we fear we shall find to be augmented by the further sum of about 100,000 taels, which Pinqua has informed us, with some degree of mystery, is the probable amount of the sacrifice they will have ultimately to make to the officers of this Provincial Government (as alluded to in our Secret Consultations of the early part of this season), for their assistance in averting the destruction which hung over them.

15. We have only to hope that the increasing credit and respectability of these Merchants, will enable them to carry on their business so successfully, as to admit of their setting apart a sum out of their profits, adequate both to the discharge of their European debt, and the portion of the Chinese debt guaranteed as above by the Company, within a reasonable period.

**EXTRACT LETTER** in the Public Department, from the **SELECT COMMITTEE**  
at Canton to the Honourable Court of Directors, dated 28th January 1831.

Par. 21. IN our Public Consultations, under date 5th January, your Honourable Court will observe a letter and enclosure from Mr. Jardine, acting as trustee in behalf of the creditors of Chunqua's Hong.

22. These claims have been in abeyance for nearly two years; and as it appears that the creditors were now quite hopeless of obtaining any redress or justice, excepting  
through

through the influence which we might possess with the Chinese Government, they applied to us for aid, which, under the circumstances of the case, we have considered it our duty to afford them.

23. We beg leave to refer your Honourable Court to our Public Consultations, under the dates noted in the margin,\* for the detail of the negotiations we have entered on with the Government; and the statements made by the Hong Merchants on this subject. We are happy to say that we have been so far successful as to obtain an acknowledgment of the justice of the claims, and that the Cohong hold themselves responsible for the discharge of the debt. We have also obtained a positive pledge from the Merchants, that two lacs of dollars shall be paid before the new year, and a third lac during the 4th moon of the ensuing year, being the proceeds of the disposal of a part of Chunqua's property.

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(8.)—ATTEMPT OF THE CHINESE TO ESTABLISH A COHONG.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 22d February 1814.

Par. 275. IN our proceedings, as stated in the margin,† your Honourable Court will observe the attempt that was made in the early part of the season to establish Cohong Regulations, and the steps taken by the Committee.

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276. Immediate application was made to the Merchants and Hoppo, from whom we received the strongest assurance, that as far as Europeans were concerned, nothing was intended; the latter asserting, that it was merely for the purpose of insuring the payment of the Imperial duties, and the Merchants that the regulations existed merely in form.

277. How far these assertions may be relied on, remains to be proved. Hitherto the form of affixing a value on the goods is all that has been attempted; nor has it had the effect of preventing higher duties being given the day following; and it may be further observed, that Pinqua, who, as director, established 13*l.* 7*m.*, as the price for the Company's cotton, subsequently purchased it at 14 taels per pecul.

278. If the establishment of a Cohong system was to be seriously attempted, it would become the duty of all trading to this port firmly and decidedly to resist; much delay and inconvenience might arise from the discussion; at the same time there appears good grounds to believe, a united and well conducted resistance would ultimately prove successful.

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\* January 5, 6, 12, 15, 25.

† June 18, 28; July 17; and August 4, 5.

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## EXTRACT LETTER from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 22d February 1814.

Par. 22. WE have recorded, under these dates,\* some communications made to us relative to the establishing the Cohong system.

23. The Merchants most positively deny all knowledge of the proposition having been made, and at the same time express their decided objections to the establishing this system; how far they are sincere it is impossible to say; but we have little to depend on either their liberality or their judgment, for if they possessed either, the attempt would be decidedly discouraged, as the ultimate ruin of the trade must be the result of the establishing such a system.

24. For the present we are disposed to believe that it is merely a form gone through of affixing a price on all goods at the Consou house. Should the attempt be seriously made to establish the system, it will require the firm and decided refusal, on the part of Europeans, to trade till these regulations are rescinded; and if properly pursued, this mode of resistance will doubtless prove successful, although considerable delay may be the consequence.

## EXTRACT LETTER in the Secret Department, from the PRESIDENT of the SELECT COMMITTEE at Canton to the Chairman of the Court of Directors, dated 23d February 1815.

Par. 2. ON the 11th I received privately a copy of an Imperial Edict from Peking respecting the foreign trade. A translation of this document I consider it proper to transmit to you by the earliest conveyance that offers.

3. This document confirms the apprehensions entertained by the Select Committee, that in the proceedings of the Canton Government, particularly in the months of September and October last, some attempts were meditated against the privileges allowed to the foreign trade, by the establishing the Cohong; and in order the more effectually to carry this point, the ruin and removal of some of the Junior Merchants, who might be disposed to assist us in resisting the project, was in contemplation.

4. By the measures of resistance adopted by the Committee, the attempt appears to have been defeated for the time, as the officers of the Canton Government found themselves placed in too delicate a situation, (the prospect of the foreign trade being completely interrupted), to persevere on their own authority. The instigators of these attempts were therefore obliged to look for further assistance, and, by a course of intrigues, it would appear that they have succeeded in gaining the imperial sanction; evidently, however, by imposing false statements on his Majesty.

5. From a perusal of the document it will at once appear that the complaint of an *unequal distribution* of the Company's business must come from one of the senior merchants.

\* June 17; July 4; and August 11.

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chants. Unless urged by one of these, a circumstance so entirely out of the concerns of the officers of government could not have been thought of; indeed, the whole of the contents of this document, when we connect them with the occurrences of this season, as also of the last (namely, the order to establish the Cohong system in July 1813, and the discussions respecting Mr. Roberts), all tend to confirm me in the belief that these measures originate either with Pinqua or Chunqua, for Mowqua appears to stand completely acquitted.

6. The little cordiality shown by Pinqua generally towards the English, and an equally strong bias towards the Americans, with whom he has many concerns, and whose ships are loaded on his own account, might induce suspicions to be attached to him; but then again his general conduct in supporting the Junior Merchants, by assisting them in arranging their contracts, his becoming security for, or in advancing their duties; and his arguments to me have invariably, when the situation of these merchants was discussed, been in favour of their being supported. These circumstances, combined with his known dislike to any intercourse with the officers of his government, strongly concur in inducing the Committee to exculpate Pinqua; while, from every concurring information and circumstance, there appears to be equally strong and sufficient reasons for fixing the measure on Chunqua.

7. The official edicts respecting native servants, the seizure of the linguist Ayeu, the fomenting the irritation of the government, in consequence of the supposed continued aggressions on Chinese neutrality by His Majesty's ship Doris, had for their object the involving the Committee in a serious discussion with the Government, in which it was no doubt fully expected that the Committee would have been intimidated into submission and compliance with any measures that might have been resolved on by the Canton Government. These measures would have been the ruin and removal of several of the junior Hong's, and the establishment of the Cohong system, of which, from his influence, Chunqua would have become the sole director. By effecting the removal of the other merchants, a larger proportion of the foreign and Company's trade would have fallen to his share, whilst he possessed the means and authority to affix the prices of all commodities.

8. On the trade being suspended by order of the Viceroy, in September, had the Committee proceeded to request the government to withdraw its prohibitions, or had any anxiety been expressed on the subject, the price of loading the ships would have been the completion of Chunqua's views. Finding, however, that the Committee took such decided measures, and that they also refused to trade, the Viceroy and Canton government became alarmed as to the consequences to themselves, and were therefore unwilling to proceed, and accordingly the arrangement with Sir George Staunton was effected.

9. From the information that I have been enabled to collect, it appears that the Viceroy and superior officers of the Canton Government were by no means aware of being (as they were in fact), tools in the hands of Chunqua, or were they made acquainted with the precise objects he had in view. Living entirely removed from all intercourse with foreigners, the superior officers of the Government are generally very ignorant respecting foreign trade, and are enabled to form but very imperfect ideas of the character

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character and conduct of the Honourable Company's servants; hence, by gaining the persons about the superior officers, whether relatives, clerks, or domestics, Chunqua is enabled to give a bias on the occurrence of any affair; and on this their officers ground their proceedings.

10. From the tenor of the document, as it relates to an inquiry into the debts owing by the Junior Merchants, proposing their removal, and future regulations for the trade, it will be obvious that it is of most serious import to the interests of the Honourable Company in China. If these orders are carried into effect, and the Merchants are declared bankrupts, their debts, to the amount nearly of 4,000,000 of dollars, would remain to be levied from the trade in the shape of Consol charges. A circumstance, in my opinion, not more to be dreaded than that the trade should fall under the exclusive management of one or even two Merchants. To preserve the trade from this most serious injury, it will require every exertion that the Committee have it in their power to make, by firmly resisting, or in other words, by suspending the trade, should the Merchants be threatened, and at the same time to endeavour to impress on the Viceroy the serious consequences that will follow.

11. The personal attack on Sir George Staunton may almost be considered unworthy of notice. It proves that no measures will be left untried to carry their point. It was expected (as it was no doubt, when the objections to Mr. Roberts were revived), that this personal attack would have the effect of intimidating, and operate in preventing any resistance on the part of the Committee, from an apprehension of personal loss and inconvenience to themselves. The Committee can only rely on the confidence and support to be given them by the Honourable Court of Directors; for unless they shrink from the discharge of their duty, and surrender the conduct of their affairs to the management of Chunqua, they must be prepared to expect that these personal attacks will be repeated. There is in fact no charge, of whatever nature it may be, whether of treason against the State, or a violation of the laws and regulations of the Empire, that Chunqua may not procure to be alleged against any Member of the Committee; and with the same facility, by means of the bamboo or torture, any number of witnesses may be brought forward to attest the truth of the accusation.

12. It is impossible for me, at present, to say what measures the Government may pursue in consequence of this Edict, or whether farther orders may be received from Peking. I am unable, therefore, to state what measures the Committee may be called on to adopt to defeat their projects. I chiefly rely on the conviction with which I trust the Government and the Merchants are impressed, that the Committee will not submit to the proposed regulations; and the attempt to carry them into effect will be the ruin of the trade.

13. The serious consequences that may be expected to follow the suspension of the foreign trade have, I understand, been already brought to the consideration of the Viceroy and superior officers of the Provincial Government. The number of persons of various descriptions that would be deprived of employment and exposed to want, would soon become discontented, insurrections and disturbances, bands of robbers by land, and pirates by water, would be the consequence, and which

which this weak and corrupt Government cannot contemplate without the most serious apprehensions.

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14. From the communications that have been made to the Honourable the Secret Committee, more particularly in the last and present season, the anxious and difficult situation in which the Select Committee are placed cannot fail to appear. It will be seen that the extensive trade carried on, sufficient to excite the views and designs of interested persons, is wholly unprotected by any laws or regulations. From the systematic corruption and venality of the officers of Government, those who should be the protectors of the trade are found to be leagued against it. It will be seen that little or no assistance is to be derived from the other Hong Merchants, who scarcely can be depended on for even communicating what occurs. The Committee have therefore only to rely on their judgment to decide on, and their firmness to persevere in, the measures they may adopt to prevent the injury that the trade is threatened with; as their representations and remonstrances are either rejected or not attended to, there remains no alternative to obtain a hearing or redress, than suspending the trade they are appointed to carry on.

15. The disadvantages that the Committee labour under in being compelled to resort to this extreme measure, are obvious. The injury and the loss that must necessarily attend an interruption to the trade, cannot but strongly induce a disposition to question the expediency or the necessity for the measure. Many points may induce a discussion with the Government, that may at first sight appear trivial; while to those more experienced, and more intimately acquainted with the character and conduct of the officers of the Chinese Government, are known to involve most important consequences. It may be further noticed, that the Chinese officers of Government, habituated in deceit and misrepresentation, assume a plausible and specious mode of reasoning, that it is calculated to mislead those who have to judge at a distance. We rely with confidence on the discernment and on the indulgence of the Honourable Court of Directors, at the same time, from the considerations here adverted to, however the Committee may feel satisfied, and know that they are duly discharging the duties of the important trust reposed in them, cannot fail to excite a degree of anxiety as to the future decision that is to be passed upon their conduct.

16. In the situation in which the trade is placed, it is liable to be interrupted at the caprice of an individual; and should the Viceroy for the time chance to be rather more ignorant, and at the same time more violent in disposition than his predecessors, a complete interruption to the trade must inevitably ensue.

17. There appears to be no mode so likely to prevent these injurious consequences as that of establishing a direct and frequent communication between the two Governments. Missions on a far more moderate scale than the former Embassy may prove fully as efficacious. No particular act or appearance of favour, or concession, need be expected from the Chinese Government. The beneficial effects will be in placing the British nation on a more respectable footing with respect to China; and their frequent communications, independent of the superior advantage an Embassy will now possess

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of English interpreters, will prove to the Provincial Authorities that remonstrances can be conveyed to Peking.

I have the honour to remain, Honourable Sirs,

Your most obedient humble servant,

(Signed) J. T. ELPHINSTONE.

Canton, 23d February 1815.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 11th March 1815.

Par. 4. We have the honour to forward by the Cambridge a copy of our proceedings in this Department since the departure of the Earl Spencer, to which we beg to refer your Honourable Committee for the detail of the important documents issued by the Chinese Government respecting the Foreign Trade, together with our sentiments thereon.

5. By the Russian ship Henry, our President had the honour to forward, addressed to the Honourable the Chairman, a copy of the Edict received from Peking, recorded in our diary under date the 11th February.

6. Since that date we have obtained the copy of an Imperial Edict, being in reply to the statement made by the Viceroy from Canton on the 30th November, wherein certain regulations for the Foreign Trade were proposed, the documents are recorded under date the 3d March.

7. In our consultations of the 11th February and 3d March, we have endeavoured to trace and to explain the causes that have excited the Chinese Government to the measures they have adopted in the last and in this season, it will appear that the influence and the intrigues of Chunqua, combined with the want of firmness, and in the case of the discussion respecting His Majesty's ships, a want of inclination on the part of Pinqua, may be considered as the sources from whence our serious differences have proceeded.

8. In consequence of the resistance made to the measures of the Canton Government in October and November, and the arrangements they were induced to accede to with Sir George Staunton, Chunqua may be considered to have failed at that time in establishing what he had in view, namely the removal of some of the Merchants, in order that he might have a larger proportion of the trade, and the establishment of the Cohong system in order that he might conduct that trade as it best suited to his purposes.

9. Determined, however, on making further attempts, he appears to have obtained by his influence a communication to be made to his Imperial Majesty, whereby misrepresentation as to the state and conduct of the Foreign State, certain precautionary regulations were expected to be directed, as would be suited to his views; and in order to secure compliance on the part of the Committee, the personal attack, and charges alleged respecting Sir George Staunton, appear to have been brought forward; these,  
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it was no doubt expected, would fully answer the purpose of intimidating and of deterring any servant of the Honourable Company from disputing his wishes.

10. As far as the regulations respecting the Foreign Trade go, it would seem that there is a singular coincidence in the report made by the Viceroy and that made through the influence of Chunqua. The report respecting Sir George Staunton is altogether without the knowledge of the Viceroy, while the recal of Puankhequa to officiate as head Hong Merchant is known to be wholly independent of Chunqua, as in fact no measure could more completely check his view and designs than the return of Puankhequa.

11. How far the Viceroy and Fooyuen acted under Chunqua's influence is therefore uncertain; or whether it still continues to operate and direct their decisions, under the circumstances in which the Foreign Trade is placed, viz. a Merchant possessing the extraordinary talents for intrigue, and the influence that Chunqua appears to possess, the extraordinary state of alarm and irritation that the distracted state of the empire seems to have occasioned to the Imperial Government, while at the same time the provincial authorities seem to be particularly ill-disposed, the return of a person of Puankhequa's character and firmness may be expected to be attended with beneficial effects.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE of Supracargoes at Canton to the Honourable Court of Directors, dated 26th March 1817.

Par. 13. THE judicious measures adopted by our predecessors to check the Senior Merchants in their endeavours to establish the Cohong system, we hope have had their due effect, at least there does not appear any outward or public wish to continue the attempt. The formal observances are still continued, and the three Merchants are only admitted to the Viceroy's presence; but we are inclined to believe our firm resistance to this measure is so well understood that no serious attempt will be made.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 19th March 1825.

Par. 40. IN discussions with the provincial officers we have always evinced to the Hong Merchants our sense of the impropriety of conducting any public business to which every Hong Merchant is not a party; the only way we possessed of demonstrating our opposition to the formation of a Cohong was by always insisting on the attendance of all the Merchants when the two Senior Merchants presented themselves with letters or communications with the Government.

41. It is long since the establishment of a Cohong for commercial purposes was directed by the Provincial Government; nor are we aware of any attempt on the part of the Senior Merchants to control the proceedings of their junior colleagues, or the existence of other influence than that which Pinqua naturally derives from the obligations



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tions which his wealth has enabled him to confer upon the principal part of the Junior Hong.

42. From the division of interests which now exists among the Senior Merchants, there is little dread of any injury being derived to the commercial interest of the Company by their coalition. Chunqua and Pinqua may rather be looked upon as contending rivals than be dreaded for the establishment of a community of proceedings.

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EXTRACT LETTER in the Separate Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 28th January 1830.

Part of Par. 7. THE forfeiture of the pledge given to foreigners by the Viceroy, that the elder Chunqua should be caused to return to Canton, is greatly destructive of confidence in the promises of the Government. Without entering into discussion upon the probable causes of such inconsistent acts, we could only come to the decision that the Cohong system would be thereby established, which, by placing the trade under the immediate control of the local government, facilitates their views of private emolument, imposes fixed prices upon import and export commodities, and, by destroying importation, throws the whole weight of government extortions upon the Tea Trade of the Honourable Company.

Par. 8. The present state of the Hong appears to afford a tempting opportunity for the introduction of the system to which we allude. At the head is Howqua, a Merchant of great mercantile talent and property, estimated to be of large value, but which, united with the natural timidity of his disposition, renders him an easy prey to the avarice of the local officers. Puankhequa, though supposed to possess a considerable property, cannot compete in trade with Howqua, and has always confined his dealings within fixed limits, conducting them in conformity with the views of the Senior Merchants. Mowqua, long a debtor of Howqua's, has lately increased his obligations to maintain the very existence of his Hong. At the time that this subject was under our consideration the Hong of Chunqua was necessarily deemed to be extinct. The respectability of the Hong of Goqua depends upon the life of a relation of the Merchant, now rendered exceedingly precarious by age and sickness. It owed its restoration from bankruptcy in 1814 to a loan from Howqua, and since that time has paid submissive deference to the will of that Merchant. The Hongs of Kinqua and Fatqua cannot be viewed, commercially speaking, as of independent character.

9. From the foregoing considerations, it results that Howqua exercises unlimited power over the interests of the whole foreign trade, while he is himself as immediately subject to the control of the Government. The establishment of the Cohong system is virtually effected, and it has been lately exemplified in the case of the American tea trade, the circumstances of which are as follows:

10. Upon the suspension of our trade this season, the American Merchants, encouraged by the prospect of being the sole purchasers of tea in the market, combined to reduce the price of that commodity below the standard of last year. This combination was for some time steadily adhered to, but was finally overruled by the influence of Howqua, and  
prices

prices exacted exceeding considerably those of the preceding season. The American Merchants have been compelled to submit to this increased appreciation, which in some kinds of tea has amounted to eight tales per cent.

11. A desire to destroy competition in trade has long characterized the policy of the Chinese Government. It was counteracted by the firm resistance of Mr. Elphinstone, President, with his colleagues the members of the Select Committee, in the year 1814; and the good effects of that decisive stand have extended up to the present time. The Hong of Chunqua and Manhop have of late years been principally instrumental in maintaining competition of prices, and we viewed with sincere regret a door opened for the introduction of the restrictive system, by the insolvency of the two Hongs above-mentioned.

12. It is unnecessary to point out to your Honourable Court the ruinous prospect threatened to commerce by the exchange of commodities at fixed prices dictated by one party. Competition must ever be deemed the source of spirit and energy in trade; when withdrawn, a gradual decline will ensue in all countries, but especially when, as in this, it is accelerated by the rapacity of a local government indifferent to every thing but temporary advantage to themselves.

13. We have dreaded the approach of this alarming condition of affairs through the whole progress of our proceedings, and we view the prevention of it as of greater importance than all the other subjects which we have brought to the notice of the Government unitedly. Our suggestions of improvement of system, and our claims for the redress of grievances, have indeed all been founded upon the principle of averting this great and impending evil, the precursor of the total annihilation of the trade. But if the Chinese Government would have replaced affairs in such a state as to remove these apprehensions, by the restoration of the Hong of Chunqua, and the establishment of new Hongs of respectability and property, even to a limited number, we should have been induced to waive other considerations. We beg to explain distinctly to your Honourable Court, that our proposals of reformation were founded upon the fact, which was acknowledged by the Government itself, that natives of substance would not engage in the foreign trade under the old system. We have never wished to force a commercial code upon the Chinese authorities, at variance with the regulations of the Empire, but considered it incumbent to point out impediments, when the plea of impracticability was urged in defence of our non-compliance with the positive commands of the Court of Peking.

14. Seeing that the evil which we had dreaded at the commencement and through the progress of this discussion, the introduction of the Cohong system, could no longer be viewed as a matter of doubt and speculation, but had actually been put in force, we turned our attention to the circumstances under which we could renew commercial transactions, subject to the baneful influence of its action, and endeavoured to form an estimate of the probable success of our endeavours to resist it.

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(9.)—EMBASSY UNDER LORD AMHERST.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Macao to the Secret Committee of the Court of Directors, dated 6th June 1816.

Par. 4. His Majesty's ship Orlando having put us in possession of your Honourable Court's Instructions of the 15th and 25th September and 4th October 1815, and the intelligence of the intended Mission having almost immediately after begun to circulate among the Portuguese at this Settlement, upon the receipt of their newspapers by their ships from Bengal, we were sensible that not a moment was to be lost in anticipating the effects of false and unauthenticated reports, by a full and official communication on the subject to the local government.

5. On the 28th ultimo, we accordingly addressed his Excellency the Fooyuen (who is the acting Viceroy) on this important subject, and transmitted our despatch express to Canton under cover to the Hong Merchants. We have since had the satisfaction to learn from two Hong Merchants, who were ordered to proceed to Macao by the Fooyuen, that his Excellency has opened and read our address, and has engaged to forward a despatch on the subject express to Peking, the moment he has received our replies to certain queries of no material importance, which were received on the 3d instant, and the answers transmitted by us to Canton to Sir Theophilus Metcalfe the same evening.

6. Sir Theophilus Metcalfe returned to his station from Bengal, and took his seat as second member of this Committee, on the 30th ultimo. On the same day, the arrival of the Honourable Company's ship Thomas Grenville put us in possession of the letter from the Earl of Buckinghamshire to the Viceroy; and Sir George Staunton feeling it his duty to await at Macao the arrival of his Excellency the Ambassador, Sir Theophilus Metcalfe readily offered his services to proceed to Canton in execution of the instructions received on this subject from your Honourable Committee. He left Macao in a chop boat on the 1st, accompanied by Mr. Morrison, Mr. Daniell, and Captain Clavell, of his Majesty's ship Orlando, and we are in hourly expectation of some account of the opening of the business of his mission.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Macao to the Secret Committee of the Court of Directors, dated 7th July 1816.

Par. 1. We had last the honour to address your Honourable Committee in this department on the 1st of June, by the American ship Beverley, and have now the honour to forward a duplicate of the same.

2. In our postscript to that letter we informed your Honourable Committee that necessary arrangements had been made at Canton for presenting the letter from the Right Honourable the Earl of Buckinghamshire; we have now to congratulate your Honourable Committee

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Committee on the readiness shown by the Fooyuen (acting as Viceroy) to receive this communication, and the letter was placed in his hands by Sir Theophilus Metcalfe, within four-and-twenty hours after his arrival at Canton. A requisition was made by Sir Theophilus Metcalfe to be allowed the privilege of a seat during the audience; but this was refused, on the ground of the necessity on this important occasion of receiving this letter in the public hall of the palace, called the Emperor's Hall, in which Mandarins of high rank, who must be present, would be standing; it was added, that should the Fooyuen require further information, he would receive Sir T. Metcalfe in a private room, and a seat would be granted. As at that time we were in daily expectation of the arrival of Lord Amherst, it was highly desirable to meet the readiness shown upon this occasion, and of the utmost importance to ensure a speedy notification of the approach of the Embassy at Peking. Sir T. Metcalfe therefore judged it proper to waive this privilege on the present occasion, and would not delay the communication by entering into a negotiation of which there appeared little prospect of success. On the 4th of June, Sir T. Metcalfe proceeded to the city, accompanied by Captain Clavell and such gentlemen of the Factory as were in Canton. He expresses himself much pleased with the reception he met.

3. On the 5th, a set of interrogatories were brought to the Factory by the Merchants, which they asserted they were directed by the Fooyuen to put to Sir T. Metcalfe. To these appropriate replies were given. The Merchants declared that the report would be sent to Peking on the following day, and every thing appeared most satisfactory.

4. In a few days after it appeared that Captain Clavell's name had been put first in the paper delivered by them to the Fooyuen, and that he was considered as the person who had presented the letter. The Merchants called at the Factory to state that they had received an order directing them to give a bond, securing that the four gentlemen who presented the letter should remain for the answer from Peking; Sir T. Metcalfe could not but express his displeasure at this act of the Merchants, as they had been fully apprised of the object of Captain Clavell in accompanying him, arising from a wish to pay his personal respects to the Fooyuen. With respect to any bond of security, they were at liberty to act as they pleased with respect to Sir T. Metcalfe, who would undoubtedly remain for the answer; but they were warned of evil consequences to themselves should they bind themselves for any other person, more particularly a Captain in His Majesty's Navy, who they well knew was independent of the Select Committee. The measures adopted by Sir T. Metcalfe to assist the Merchants in this dilemma are recorded in this department, and we trust will meet the approbation of your Honourable Committee. This affair occasioned the Merchants much trouble and long attendance at the palace for some days, and was as usual got rid of by an expedient.

5. Every thing appeared to go on satisfactorily when Sir Theophilus Metcalfe left Canton, excepting some private communications from Howqua and Puankhequa, with a view of dissuading Sir George Staunton from accompanying the Embassy. These are recorded on the 20th ultimo, in a report from Sir T. Metcalfe; and we beg to draw the attention of your Honourable Committee to the minutes entered on this subject by that gentleman and the President on the 28th of June. Similar communications have since been made to Mr. Roberts, and it is not impossible that some intrigues or secret influence

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may be yet employed, but we are willing to hope will not be attended with any success to the ultimate prejudice of the public interests.

6. The only reply which we made at the time to this communication was, that we had not yet received His Royal Highness the Prince Regent's commands on the subject; but that whatever they were, they certainly would and must be strictly obeyed.

7. These communications have appeared to us wholly undeserving of attention, because we considered the objections of the Hong Merchants, expressed probably at the instigation of the local government, to arise entirely from those very circumstances which led to the determination of the authorities in England to consider Sir George Staunton as a proper person to be nominated a member of the Mission, and that they are in fact not so much personal objections to him as objections to those objects of the Embassy, which the presence and co-operation of a person acquainted with the language of the country, and the late proceedings of the local government, may be supposed calculated to promote.

8. We have however laid these, and all other facts connected with the Embassy, unreservedly before Lord Amherst, in our several letters (as recorded) to his Excellency's address, and these circumstances will be further detailed by Sir George Staunton in person.

9. Sir George Staunton requests us also to assure your Honourable Committee, that should His Majesty's Commissioners take a different view of the subject from ourselves, no personal consideration of his own shall in the smallest degree interfere with the complete carrying into effect, of what they shall deem upon consideration best for the public service.

10. The delay which has taken place in the arrival of his Excellency the Ambassador, has exceeded all reasonable calculation that could have been formed, and placed us in a very painful state of suspense and perplexity.

11. The season is now so far advanced, and the answer from Pekin in all probability so very near at hand, that we have at present no other alternative but that of either waiting the arrival of the Imperial Edict, and thereby exposing His Majesty's Mission to all the hazards so much deprecated in your Honourable Committee's letter of the 27th September, or to resolve on Sir George Staunton's proceeding at once to sea, with the other gentlemen attached to the Mission, and meeting the Ambassador at some place of rendezvous, where some further measures might be concerted without interruption, and whence the Embassy might ultimately proceed, if deemed advisable, without being exposed to interference or detention on the part of the Canton Government.

12. It would have been more pleasant and satisfactory to ourselves to have awaited the receipt of a more detailed communication of his Excellency's wishes, as well as more recent instructions from your Honourable Committee, but the instructions and advices already received fully authorize, in our opinion, the proposed step, and its expediency under present circumstances appearing to us to admit of no doubt, it has only remained for us to adopt such a style of communication on the subject to the local government, as might not in any event commit his Excellency or our honourable employers, and yet preclude all imputation of a mysterious or clandestine proceeding.

13. We trust it will satisfactorily appear by the letters recorded on our Secret Proceedings, that we have done our utmost to reconcile these objects, and we feel assured that  
your

your Honourable Committee will readily perceive, that the difficulties which we now lament were such as no foresight or precaution could have prevented; for although at the time the embassy was announced, its approach was daily expected and calculated on with a well-grounded confidence long before the present moment, the secret was not in our power to withhold (being universally circulated by letters and newspapers), and therefore an authentic and official report was the only resource left against the most fatal and injurious misrepresentations from private sources.

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(10.)—COMBINATION OF THE TEA MERCHANTS IN CHINA.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th December 1819.

Par. 10. FINDING at the present advanced period that the dispute was not in a channel of adjustment, and the teas immediately required being consequently unavailable, we have deemed it incumbent upon us to take more active measures for the assistance of the Hong Merchants, and the most ready means that presented themselves are the holding out such a threat of the non-acceptance of any teas tendered or manufactured by them, as may induce the principals, who are represented as exercising overbearing influence by their secession, to weaken and perhaps abolish the existing combination.

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11. The principal feature in the terms required by the Tea Manufacturers is the retention of the whole chop in their warehouses, until a sufficient number of chests being inspected and approved by the Hong Merchant, the sale is to be finally concluded, and no longer subjected to the influence of any reduction, which, from inferiority to muster, or other causes, we may deem it necessary to impose.

12. Our conviction of the necessity of resisting an innovation fraught with such danger to the future quality of the teas, to the interests of the Junior Merchants, the re-establishment of whose circumstances we are so desirous of effecting, and opening the door to future demands, which the successful result of the present might encourage the manufacturers annually to prefer, has induced us to view the possible detention of the fleet, and even a sacrifice of some of the superior teas, as the preferable alternative to the introduction of a measure, which once established, we might in vain endeavour to remove.

13. The Merchants were accordingly summoned, and informed that a manufacturer named Pun-luy-lau, supported by Tsuyu-Mow and Tsong Fong, having been represented to us as the principal leaders of this obnoxious combination, it was our intention, if this affair was not immediately arranged, to form the unalterable resolution of not receiving any teas purchased from them, except on the terms and conditions of winter purchases. After some observations from the Merchants, who attributed the present coalition to the rigour with which these teas are now appreciated and reduced, they promised to communicate our resolutions to the manufacturers, which they conceived might be attended

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with good effect, and were rather sanguine in their expectations of the speedy restoration of the commerce to its former footing.

14. It is impossible for us to anticipate with any degree of certainty the success of this measure, or the result which may attend the exertions of the Hong Merchants in quashing this combination, but your Honourable Court may rely, that the detention of the ships, or the compromise of the immediate interests of the Company, however temporary, will not be resorted to by us, unless imperiously called for in prevention of prospective evils of far more serious character.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 10th January 1820.

Par. 28. WE now proceed to lay before your Honourable Committee an abstract of such part of our consultations as relates to the difficulties we have experienced from the combination of the Black Tea Merchants.

29. After the late despatch, finding that the teas immediately required by us were unavailable, and that the dispute still remained without any prospect of an adjustment, we deemed it necessary to call upon the Tea Merchants themselves for a statement of their real requisitions; and, accordingly, received from them a letter, in which they made no abatement whatever in the most obnoxious part of their former demands, as they still insisted that the teas upon delivery should not be subject to a reduction in price, on being found inferior to the muster.

30. We then considered it our duty to adopt some decisive line of conduct, and having no doubt of the combination being alone upheld by Puan-luy-lau, and two or three others of the more opulent Teamen, while those who were less able to support it would willingly give in to our terms, we framed a proposal which could afford no reasonable ground of complaint to the former; but which being rejected would ensure their punishment; and by its advantages tempt the latter class to recede from the combination.

31. Having, in the first instance, summoned the Merchants, and required from them the names of the manufacturers of the several chops of tea tendered to us of contract quality, they were next desired to demand specifically of Puan-luy-lau, if he was willing to furnish his teas under the following stipulations: "That in order to obviate the objections of the whole chop being marked previous to its final acceptance (an objection of which we could not deny the validity, since, in the event of a chop being rejected, its value was thereby deteriorated), thirty chests only should be taken out of their mat casings for examination and taring, and on their agreement with the muster chest should depend the acceptance or rejection of the whole chop."

32. The price we offered for the

			<i>l.</i>	<i>m.</i>
1st class of teas was	-	-	19	5
2d	-	-	18	5
3d	-	-	18	0

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33. Two days were allowed for the consideration of the above proposal, and at the expiration of that period the refusal of Puan-luy-lau being implied by his silence, we sent back the musters of those chops belonging to him which had been tendered to us.

34. We determined then to make the same proposal to Heng Chun, another of the leaders of the cabal, and, in the event of his refusal, to offer generally to receive teas of any Merchant who would furnish them in the manner we wished. Should they all persist in non-acquiescence, we resolved to offer such a price to the dealers, whose chops had been thrown out of our investment as below contract quality, as we had every reason to think they would accept, in spite of any threats that might be held out by the others.

35. We were not unaware of the risk which we hereby incurred of some of the superior chops being withdrawn from our investment, and that we might be compelled to purchase indifferent teas at high prices; but we considered such an alternative as preferable to submission to the terms of the Tea Merchants. We were sensible too of its being contrary to all probability, that a numerous body of men, whose decided interest it was to accept of the terms offered to them, would continue to be held in thralldom by a few individuals whose large capitals enabled them to bear the heavy loss arising from the present delay.

36. On the 29th ultimo we learnt, that Heng Chun had not only refused to deliver his teas on the terms proposed to him, but that the Tea Dealers had assembled and signed a declaration not to deliver a chest until we had first received the chops belonging to Puan-luy-lau and Heng Chun. It then became necessary for us to consider what temptation in price we should offer to the owners of the teas which had proved below contract quality.

37. On forming our determination on this point, we conceived that when the importance of the object to be gained was taken into consideration, such decidedly advantageous terms should be held out as could not be rejected by the poorer Tea Merchants. It was resolved, therefore, that the price offered to them should be 18 7/8. In the event of the success of the proposed measure, it was at the same time necessary to guard against the obligation of receiving teas of very inferior quality, and to a great extent, at the enhanced price. We determined, therefore, to limit the teas to be received to the character of ordinary and good ordinary, and to the extent of 10,000 chests. This limitation we conceived might besides be attended with the good effect of creating a competition to participate in the advantages held out.

38. From the great extent of the tonnage of this season, we cannot have at our disposal above 30,000 chests of Congo at winter prices, even after receiving green teas of a lower order than is customary. This is very short of the quantity we could wish to obtain, when we consider that the investment of 1819-20 is estimated, in the Honourable Company's letter of the 18th May, at twenty-seven millions of pounds. To complete this will require 230,000 chests of Congo; and as we do not deem it advisable that our contracts should exceed 160,000 chests, it was our endeavour to throw as large a portion as possible of the teas of the present season into our winter assortment.

39. We therefore agreed to receive at winter prices a few chops of the last season still remaining in the market, and, with the same view, have at Manhop's earnest solicitation, and on his satisfying us of his ability to complete his contract of Bohea, of undeniable quality.



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quality, been induced to receive at the price of 12*l.* 5*m.* that portion of Bohea furnished by him, which was rejected at the packing, amounting to 270 peculs.

40. Anxious to counteract as much as possible the delay arising from the combination of the Tea Merchants, we have, by receiving four chops of Congo of Conseequa, and two of Kinqua, their own property, and by sending on board a larger proportion of green teas, been able to complete the lading of the Essex, Vansittart and Waterloo, much earlier than would otherwise have been in our power; and we trust that our conduct in this respect will meet your Honourable Committee's approval.

41. By the adoption of the same plan with the Marquis Camden and Inglis, we hope also to effect an early despatch of those two ships. We are, at the same time, extremely cautious as to receiving any chops of tea which are not the Hong Merchants' own property.

46. Since writing the above, we beg to inform your Honourable Court, in continuation of the discussions pending with the Tea Merchants, that the advantages we hoped to derive from the last measure resorted to (that of giving an advanced price for some of the teas inferior to contract quality), are beginning to appear; several Tea Merchants having come forward and offered to deliver their teas on the terms at which we originally proposed to receive them.

47. Although these persons are known to have been averse to the measures pursued, and their being enabled to dispose of their teas to us does not imply that the terms demanded by the body have been relinquished, yet we consider the secession of these individuals as a point of great importance, and should their example be tacitly followed, the confederacy may be considered as dissolved.

48. In agreeing to the novel mode of weighing teas, we had in view the early termination of the dispute, by depriving the Tea Merchants of their only apparently just ground of complaint; our offers having been distinctly refused, it is in our power to insist on the teas being delivered in the established manner. Of the expediency of immediately insisting on this measure, at the present moment of irritation, we are not yet satisfied; but the teas which we have offered to receive, of the character ordinary and good ordinary, it is distinctly understood are to be laid out as customary.

49. One Tea Merchant, who had accepted these terms, has been deterred by threats from fulfilling his agreement, but at the same time another has stepped forward; a day or two will determine his success or failure, and on the result will depend in a great measure our resolution on this subject.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 11th January 1820.

Par. 3. WE are most happy to be enabled, by this opportunity, to inform your Honourable Court, that the sanguine expectations conveyed in the last paragraph of our Secret Commercial Despatch, have been fully realized; and that the Tea Merchants, convinced by the unvarying resistance that we have opposed to their innovations, straitened by the  
distress

distress occasioned to them by so long a delay, and their individual fears being awakened by our threats to receive inferior teas, to the exclusion of those of superior quality thus withheld from our purchases, have dissolved the combination so vainly and unjustly established, the trade has again resumed its former tone and character. We trust that a conviction of the futility of such attempts will secure our commerce in this quarter from any future delays and embarrassments of a similar character.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 29th January 1820.

Par. 6. On the 24th instant, we were furnished with a copy of a proclamation, issued by the chief magistrate of the district to the Tea Manufacturers, in which the heaviest punishments are denounced against all combinations to keep back teas from the market; and every dealer is encouraged to bring to the notice of the officers of Government any future attempt to force him, by threats and intimidation, into a participation in such illegal acts.

7. We cannot but consider the document above alluded to as highly satisfactory, since we shall now be secured from all future combinations on the part of the Tea Manufacturers, not only from a consideration of their pecuniary interests, but also by the fear of punishment.

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(11.)—FRAUDS, &c. RESPECTING CONTRACT TEAS.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 9th February 1828.

Par. 9. FRAUDS in the delivery of teas inferior to the quality contracted for, and the misappropriations of funds advanced for the purchase of teas, have been perpetrated to such an extent upon the Hong Merchants by the dealers principally in green tea in the present season, that the former have at last been convinced of the necessity of stopping, by strong representations to Government, the progress of a system which, if not checked, is calculated to embarrass, in a great degree, the provision of a supply of green teas for the Canton market, and will extend eventually to the provision of the staple class of our investment, Congos and other black teas.

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Contract Teas

10. The Merchants propose, upon the re-opening of the Government offices, after the new year, to bring this subject seriously to the attention of the Viceroy, and have requested in this representation our advice and co-operation. We are fully prepared, by a conviction of the urgent necessity of a change in the present system, to give our support to this measure in a manner most calculated to promote success; but a previous knowledge of the intractability and proverbial dishonesty of the class of men of whom the tea

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tea trade is composed, convinces us that nothing but severe examples of individuals can promise any permanent amelioration in their dealings.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 15th March 1828.

Par. 11. We have had under our consideration the adoption of some measures by which the fulfilment of the Merchants' contracts (a subject which we had the honour to bring to the notice of the Honourable the Secret Commercial Committee in our address dated the 9th ultimo) might be so ensured, as to enable us to look with certainty to a supply of teas for the consumption of the home market, of such quality as is desirable to form our investment.

12. The numerous frauds committed by the Tea-men in their transactions with the Hong Merchants, such as the embezzlement of funds advanced them for the purchase of teas, and failing in their engagements to provide teas of a quality suited to the market, have rendered it necessary for the preservation of the interests of the trade to request the interference of the officers of Government. The merchants having agreed to frame petitions, both from their individual Hong, and as an united body of merchants, requested our assistance in representing this matter to the Viceroy, and requesting that his Excellency would cause such exemplary punishment to be inflicted upon the defaulters in the present instance, as would prevent a repetition of such frauds in future.

13. Feeling that the interests of our honourable employers were involved in the subject under consideration, both as regarded a certain and suitable supply of tea for the London market, and the protection of the property of the Hong Merchants, to whom we look for this supply, we promised our willing support to this measure. An address was framed to the Viceroy, stating the disappointment to which we were exposed in our commercial transactions by the non-fulfilment of the Merchants' contracts to supply teas, for which funds and tonnage are annually provided, both in Europe and India, and we requested his Excellency's strenuous interference to prevent the further derangement of the commerce, which must ensue if the system practised by the Tea-men were not suppressed.

14. The Merchants having for some days postponed the presentation of their own address to the Government upon this subject, for which no satisfactory reason has been ascribed by them, we determined, upon the 13th instant, to lay our own representation of the case before his Excellency. The favourable reception of this address which we anticipate from the statements of the Merchants, will probably give them confidence in bringing their individual losses to the notice of the Viceroy; and we hope that the united application of the Committee and Hong Merchants will induce his Excellency to adopt some active measures for checking a system so injurious to the general interests of the trade.

15. When we receive the Viceroy's reply to our address, which we shall have the honour

honour to communicate to your Honourable Court by the next opportunity which offers, we shall proceed to the conclusion of the contracts for the ensuing season.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 18th November 1828.

Par. 56. IN our despatch dated 15th March of this year, we had the honour to communicate to your Honourable Court the proceedings which we had considered it necessary to adopt, in co-operation with the Hong Merchants, to procure the punishment of those Green Tea Merchants who had proved defaulters in their agreement to supply teas in the preceding season, and had misappropriated the sums of money which had in some instances been advanced to them for that purpose by the Hong Merchants.

57. The Viceroy, in reply to the address alluded to in the 14th paragraph of the despatch quoted above, directed the Merchants to make a report to him of the facts, which having accordingly been laid before him, and our representations being thereby confirmed, an edict was promulgated by the Viceroy, directing the apprehension and punishment of the delinquents, which we considered a satisfactory decree in support of the Hong Merchants.

58. A representation has lately been made by the Tea Merchants to the Government, complaining that their teas are unjustly reduced in price by the Hong Merchants, and requesting that the Viceroy would interfere in their behalf. We are happy to say, that this allegation was met by a very proper exposition on the part of the Hong Merchants of the manner in which the appreciation and purchase of the Company's teas are conducted. The Viceroy in consequence rejected the Tea Merchants' petition as unworthy of his consideration, and directed that their dealings should be conducted according to the old established custom.

(12.)—CHARGES ON THE FOREIGN TRADE.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 30th November 1818.

Par. 16. YOUR Honourable Court will find in our records a discussion with the Hong Merchants, on the mode of payment which should be adopted in settling the voluntary gift from that body to their Emperor, on his attaining his 60th year.

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the Foreign Trade.

17. In the commencement the Hoppo is said to have apprised the Junior Merchants of the intention of the Salt Merchants and other public bodies to tender considerably larger sums on this occasion than were offered in the 50th year, and hinted his expectation of their body proving equally liberal. It was asserted by many that Pinqua endeavoured to persuade the Hoppo against urging such a request, and that his Excellency, irritated by his

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his hesitation, reminded him of his ready compliance with a pecuniary demand in the preceding season, when his fears were excited, and hinted that measures of intimidation must again be resorted to. This threat had its due effect, and the sum of 300,000 instead of 200,000 taels was ultimately offered, though not without some opposition from one of the Merchants, who was, however, brought into the measure by the argument of his personal interest not being affected, as, in fact, the contribution would be paid by the foreign trade.

18. We considered it our duty to endeavour to relieve the foreign trade from this burden, and pointed out the injustice of charging it with an avowed voluntary gift to the Emperor. The Senior Merchants pleaded established custom in support of this mode of levying the contribution, as well as the danger that a division of this sum among the Merchants might hereafter be made a precedent by which individual property might be rendered responsible for the debts of future bankrupts, and be taxed to realize the heavy impositions of Government. To this it was observed, that the case of bankruptcy was too visionary to require a reply; that the principle of taxing commerce, to meet the exigencies of the case, was admitted in all nations, though in China Europeans had to complain of the little notice given of additional charges on their trade. But on the occasion of a voluntary gift from the subjects of a nation as a compliment to their Emperor, it was unjust in the extreme to tax the foreign trade.

19. Several letters passed between the Hong Merchants and the Committee on this subject, in which we pointed out an equitable division of this sum, founded on our ideas of the ability of each Hong, but we regret to add, without producing the desired effect. We felt it our duty to address the Hoppo on the subject, and from his Excellency's reply your Honourable Court will observe, that any new impost on the trade is positively prohibited.

20. Notwithstanding this Edict, we have every reason to believe that the Merchants will raise the amount from the Consoo Funds. Whether that fund is able to bear this new charge, it is entirely out of our power to ascertain; but as the Junior Merchants will undoubtedly call for our assistance, it will remain to determine at a future period the measures to be adopted by the Committee. The sum accepted by his Imperial Majesty is 200,000 taels.

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(13.)—DISCUSSIONS WITH THE GOVERNMENT OF CANTON.—SEASON 1814-15.

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Secret Department.

LETTER from the SELECT COMMITTEE of Supracargoes at Canton to the Honourable the Secret Committee of the Honourable the Court of Directors, dated 1st October 1814.

Honourable Sirs :

Discussions with the Government of Canton, 1814-15. **Par. 1.** WE have to inform your Honourable Committee that the conduct of the Chinese Government has been such as to induce us to direct the commanders of the five Bombay and China ships lately arrived, to proceed no further up the river than Chuenpee.

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2. The proceedings of the Chinese Government arise partly from His Majesty's ships remaining on this station, and the delay and detention their presence has occasioned to the American vessels\* that have been for some time loaded and ready for sea.

3. It was to be expected that the Americans would make every representation in their power, in the hope of effecting the removal of His Majesty's ships, or of embroiling us with the Chinese Government; and your Honourable Committee must be fully aware, from the cargoes of the American prize ships, how deeply interested and concerned the head Hong Merchant, Pinqua, is in the safety of, and in the sailing of American vessels.

4. The representations hostile to His Majesty's ships have been received with an attention, and excited an interest generally among the officers of Government, such as we should not have expected to have seen had a mere sense of duty only operated. We are disposed to attribute much of the activity displayed by officers of the Government against His Majesty's ships to an influence very generally practised, and with never failing efficacy in every department of the Government of this Empire; at the same time we are not prepared to say to what extent the services of the officers of Government have been paid for, or whether the principal or the agent employed to secure their services was Pinqua.

5. On the 12th instant the armed American brig Rambler arrived, and proceeded to Whampoa, the following day her prize the Arabella, country ship belonging to Bengal, anchored in the roads under English colours; on ascertaining that His Majesty's ships were at Chunpee, the officer in charge of the Arabella determined on carrying the ship into Macao harbour.

6. Agreeably with existing treaty, the Portuguese Government refused to protect the Arabella, and ordered a guard on board with instructions to carry the ship beyond the limits of Portuguese neutrality, where the ship was found abandoned by the boats of His Majesty's ship Doris, and was taken possession of for the benefit of the owners.

7. Notwithstanding very clear evidence and corroborating circumstances brought forward as well by the Portuguese as ourselves, that the vessel was not an American but an English captured ship, the Canton Government appeared very unwilling to admit that the vessel was not an American, as she had at first been represented by the Americans to be; and in retaliation for the supposed breach of neutrality, supplies were at first refused to His Majesty's ships; the English and American trade was suspended, and the port clearances were refused to some of the country ships on the eve of departure for India.

8. We must observe, that previous to the arrival of the Rambler, the Chinese Government had thought proper to revert to the example of a former Viceroy, Pé, who distinguished himself in 1810 by his unjust and oppressive proceedings towards Europeans; and we received an edict from the Fooyuen and Hoppo, directing that no native attendants would be permitted about the European Factories, and that such Chinese as should violate the laws by attending would be seized and punished accordingly.

9. We addressed a reply to the Fooyuen and Hoppo, and stated that, above 100 years, during which the trade had been carried on, there had existed the same desire and endeavour on the part of the English to comply with the regulations of the China Government,

\* Jacob Jones, America. Sphinx, Schooner. Russell, ditto. Tamahamah, ditto.

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Government, and to prevent the riots and disturbances between the people of both countries; consequently we had reduced as much as possible the European attendants either belonging to the Honourable Company's Factory, or the Factories occupied by the Commanders of the English ships.

10. It was further stated, as the trade was very extensive the number of attendants was very great, and those hitherto had been composed of Chinese, but that it would be necessarily far more satisfactory and respectable to have the attendants composed of persons who were British subjects.

11. As we supposed that the Government must be fully aware of the situation and extent of the Factories at Canton, they must also be aware how inadequate they were to contain this number of Europeans, and further, from being open to the intrusion of the populace of a large city, continual riots and disturbances were inevitable; consequently, the carrying on the English trade at Canton with European attendants, was in fact impracticable. It was therefore submitted to the consideration of the Government, if their orders were to be carried into execution respecting the Chinese attendants, that they would appoint some other situation or place to which we might proceed, and there reside and carry on the trade.

12. No reply to our address has been received, or indeed has the letter been received by the officer to whom it was addressed. The objections to the native attendants may be nothing more than the practice of late years resorted to by the officers of Government, when it was their wish to harass or insult Europeans. We have also to notice, that the Nan hai Heen entered the Honourable Company's Factory, and it is probable, had any of the Chinese attendants been in the way, they might have been seized.

13. It is much to be regretted, that so extensive and so valuable a trade should be situated as the European trade to China is at present, liable to continual interruption at the caprice of an individual; at the same time the necessity of resisting these most unjust proceedings must be obvious, as by resistance alone can we hope to check them: had the Viceroy thought proper to issue these orders respecting Chinese attendants two months hence, the business of the season must have been for a time as completely interrupted as could have been effected by any direct stoppage of the trade.

14. The several addresses which we have been under the necessity of making on the subject of His Majesty's ships to the Viceroy, Fooyuen and Hoppo, have of late been rejected, and the Viceroy has most openly declared, that he will receive no communications from us, if written in Chinese characters, but that if we wish to address him, it must be in English. Considering this equivalent to a denying the right of remonstrating, it is our intention to persevere in writing to him in Chinese.

15. Notwithstanding the lofty tone assumed by the Government and their proceedings, we are rather disposed to believe that they will not persevere in their present unjust conduct, as we conceive, without some better grounds than they have at present, they would be unwilling that the interruption of the foreign trade should continue so long as to excite the notice of the Government at Peking. From some discussions that have already taken place with an officer of Government, dispatched from Canton for the purpose, we are inclined to believe that the Viceroy is rather disposed to arrange the existing differences.

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16. It will afford us much pleasure to convey to your Honourable Committee the account of this discussion being terminated, at the same time your Honourable Committee must be fully aware how tedious and uncertain in duration these discussions with this Government have proved, and it remains with us to assure you, that our best exertions will be employed to preserve the real and permanent interests of the Honourable Company by a firm and decided resistance to the unjust attempts of the Provincial Government.

We have the honour to remain with respect, Honourable Sirs,

Your most faithful and obedient servants,

(Signed)

J. F. ELPHINSTONE.

THOS. CHAS. PATTLE.

GEO. THOS. STAUNTON.

Macao, 1st October 1814.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE of Supracargoes at Canton to the Honourable Court of Directors, dated 4th December 1814.

Par. 5. WE regret having to inform your Honourable Court that the conduct of the Chinese Government has been such as to compel us to suspend all commercial intercourse, to prohibit all British ships entering the river, and to direct all British subjects to leave Canton.

6. After a tedious and anxious discussion, the Chinese Government acceded to such an adjustment of differences as enabled us, on the 25th of November, to permit the ships to proceed to Whampoa.

LETTER from the SELECT COMMITTEE at Canton to the Secret Committee of the Honourable Court of Directors, dated 4th December 1814.

Honourable Sirs :

Par. 1. WE had the honour to address your Honourable Committee last under date the 1st of October, when we stated that the differences that existed with the Chinese Government, and we regret to say that the hope then expressed of a speedy adjustment, did not prove to be realized.

2. On the 4th October we received information of the seizure of the Linguist Ajeu, on the charge of having carried the portrait of his Royal Highness the Prince Regent to Peking, and for a general attachment to, and services rendered to the English; numerous reports are in circulation of further violent and hostile intentions of the Viceroy and Fooyuen, and it was further reported that Fatqua, or others of the Hong Merchants, were to be involved in the charges brought against the Linguist.

3. Our several addresses to the superior officers of the Canton Government were delivered at the city gates, and brought back to the Factory unopened; and finding the



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Viceroy was resolved on persevering in his measures of violence and hostility, and that all our efforts to obtain redress failed, and there appeared to be no other alternative or resource left to us than carrying our appeal to his Imperial Majesty at Peking, directing at the same time all British subjects to quit Canton, and the English ships to leave Whampoa.

4. Fully aware of the serious inconvenience that must necessarily attend this measure to all the parties interested therein, we considered it proper to draw up a statement of the proceedings of the Canton Government, which had compelled us to adopt this extreme measure, for the purpose of being communicated to all British subjects, as containing a detail of the proceedings of the Government, we beg leave to refer your Honourable Committee to this document,\* which we forwarded on the 11th October to Mr. Molony, at Canton, directing either its immediate publication, or its being withheld for a time, as the disposition of the Government might appear to require.

5. The suspension of the trade on our part, and the detaining the Honourable Company's ships at Chunpee, appeared to produce some effect. On the — October an official communication reached us from the Viceroy; in this the re-capture of the *Arabella* was admitted to be proper, and that the ship had been an English vessel; in consequence the orders given by the Viceroy to stop the trade were rescinded.

6. Desirous of availing ourselves of the opening that was given to preserve our commercial intercourse, without subjecting it to the delay that must necessarily attend a remonstrance to Peking, we replied to the Merchants and proposed that the Viceroy should appoint an officer, duly authorized, to meet Sir George Staunton at Canton, who would proceed for the purpose of discussing and arranging the several points on which explanation was required, and previous to our permitting the ships to enter the river.

7. An answer was received from the Merchants,† stating that the Viceroy acceded to our proposal. Sir George Staunton, accompanied by Sir Thomas Metcalfe and Mr. Davis, proceeded to Canton, on the 21st October, under instructions from us, a copy of which we have the honour to inclose.

8. A delay of some days took place before the Mandarin met Sir George Staunton; and on the 23d, that same officer, who had come to Macao respecting the *Arabella*, by name Foo-ta-hao-Yea, accompanied by the Quang-choo-foo, the Nan Hai Hien and Hyan Shan Hien, came to the Honourable Company's Factory.

9. At the first and at the several subsequent meetings‡ that took place with Foo-ta-hao-Yea, the arrest of the Linguist Ayou was discussed; explanation was attempted to be evaded in various ways, when after considerable discussion an official declaration was obtained from the Viceroy that the arrest of the Linguist was not on account of any connection with the English, but in consequence of a breach of the law, for having once been in a menial situation, he had afterwards purchased rank.

10. The Viceroy then appeared determined on breaking off all further negotiation, and the Merchants intimated that no further communications would be received. This extraordinary

ordinary resolution on the part of the Viceroy, left Sir George Staunton no other alternative than that of quitting Canton, which he left on the 10th November, and joining the Honourable Company's ships that had removed from Whampoa to below the second bar, previously carrying into execution the Committee's orders, in communicating the statement to all British subjects, and directing them to quit Canton.

11. On the 12th and 14th, deputations of the Hong Merchants, Pinqua and others, reached the Honourable Company's ships at that time, nearly at the Bocca Tigris, when they requested Sir George Staunton to suspend the further movements of the ships, and having given a written assurance that they were authorized by the Viceroy to say that a Mandarin should be appointed to discuss the remaining points in dispute, Sir George Staunton returned to Canton, and landed on the 15th.

12. It would appear that the Merchants had either exceeded their authority or were attempting to practise further deceit, for it was not until they found Sir George Staunton fully determined on again proceeding to the ships that their promise was fulfilled, when the same officer, Foo-ta-hao-Yea, accompanied by the Nan-hai-Hien, came to the Factory on the 19th. At this and several subsequent meetings,\* the articles which we have the honour to inclose† were discussed, and at length in great measure conceded.

13. Finding from the meeting of the 21st, that the Government acquiesced in the principal points in discussion, it was determined no longer to delay the ships, but to permit their going up to Whampoa and unloading; this was done in order to facilitate the proceedings of the Viceroy towards an adjustment, as while the ships remained at Chunpee and Lintin, and the trade was suspended, it appeared (as was in fact the case) that these measures had compelled the Viceroy to grant the concessions which had been obtained.

14. The Viceroy's Edict, confirming what has been officially communicated to Sir George Staunton by the two Mandarins, as the contents of this document, was expected to be delivered on the 2d Decèmbër.

15. For the particulars respecting the arrest of the Linguist, and for the apprehension we entertained of this act of injustice, being but the prelude to further attacks on some of the Junior Merchants, and through them on the European trade, we beg leave to refer your Honourable Court to the several documents specified 4th, 5th, and 6th.

16. It is to be remembered that during the last season the Merchants obtained from Pekin the sanction for re-establishing the Cohong system; aware that it would meet with our firm and decided opposition, the system was not attempted to be practically carried into effect during the last season, although the forms of appreciating the cargoes of each ship on her arrival, and affixing prices to all articles of merchandize at their Consol house was regularly gone through, and is indeed still continued.

17. Whatever may have been the ultimate designs of the parties, in exciting the superior officers of Government to the measures they adopted towards us, or whatever may have been the views of the Government in resorting to these measures, we hope for the present they have been checked, if not defeated; and further, that the Viceroy and the officers of Government

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Government are now convinced, that in their conduct towards the English their measures of oppression and injustice (as they value the trade) must be restrained within certain bounds; from the experience and knowledge we possess of the Government, we are satisfied that their conviction, that their injustice will not be submitted to, is the only security we can possess for their attempts being discontinued.

18. Although the adjustment we have obtained is perhaps not so satisfactory as could have been wished, we hope that sufficient has been granted to admit the trade being carried on during the present season without much interruption. By the freighted ship Earl Spencer, which we propose to load and despatch with as little delay as possible, we will transmit a detailed account of our proceedings with regard to the Canton Government. Your Honourable Court will be enabled to judge of the conduct of the Government, and of the Hong Merchants Pinqua and others, at the same time the serious difficulties we have to contend with in endeavouring to resist the oppressive acts of the Government will be seen, and we trust that some effectual means to enable us more successfully to oppose these attempts will suggest themselves to your Honourable Committee.

19. It remains for us to express our high approval of the conduct and exertions of Sir George Staunton in the execution of his mission to Canton, and your Honourable Committee will not fail to appreciate the difficulties he had to encounter in the negotiation.

We have the honour to be with the greatest respect, Honourable Sirs,

Your most faithful humble servants,

(Signed)

J. T. ELPHINSTONE.

THOS. CHAS. PATTLE.

Macao, 4th December 1814.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 24th December 1814.

Par. 2. We have now the satisfaction to inform your Honourable Committee that the unpleasant discussions in which we were engaged with the Canton Government, have terminated; that the cargoes of the ships are nearly delivered, and that several have commenced the lading of their teas.

3. By this conveyance we have the honour to transmit a full detail of our proceedings, and have to congratulate the Honourable Court and ourselves on as favourable a termination as perhaps could be expected, from a Government which cannot be brought to admit that foreign nations can stand on an equality with themselves, and appear frequently in their Edicts to refuse to acknowledge them even as free and independent.

4. The grievances under which Europeans labour in carrying on the commerce in China are not singly of that flagrant kind, that the bare mention of any one of them can immediately show their weight and pressure, they must be considered collectively, and we feel confident that your Honourable Committee, on a perusal of the proceedings, will concur with us on the necessity of our having recourse to the measures adopted (under the peculiar and difficult circumstances in which we were placed), for effectually checking the unjust demands and pretensions of the Canton Government, and for giving due weight to our

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our application for those explanations and disavowals which its daily accumulating insults and provocation (even if the consequent hazard to the trade itself were only considered) rendered indispensable.

5. The Edicts published in the early part of the season ordering His Majesty's ships to quit the coast, we conceived originated with those persons interested in the sailing of the American vessels, and although the Merchants ought to be fully aware that we have no controul over His Majesty's officers, and which indeed they have fully acknowledged, we are sorry to observe that no member of the Hong could be found, who had the inclination or sufficient influence, to explain this fully to the Mandarin. Looking therefore solely to the Committee, the Viceroy refused to receive the address of the Captain of the Doris, and considered us responsible for his acts. Although we could not but highly disapprove of the attack made by the boats of the Doris on the American schooner at Whampoa, and which through interested motives had been greatly exaggerated; we deemed it our duty to endeavour to palliate the circumstance, and while acknowledging it to be an error, ventured to promise that his Excellency should not again have occasion to complain of a similar act of offence. The affair, we were assured, was adjusted; and although during the subsequent discussion it was at times adverted to by the Mandarins, it cannot be considered as forming a prominent feature in the present differences, and was only alluded to (as a measure not to be defended by us) when they were at a loss to reply to a grievance brought forward on our part.

6. We conceive the origin of this discussion must be traced to a far different source; to the interested views of a few individuals endeavouring to place the European commerce at their sole command; that in fact it has been pending some time, and would have equally rendered necessary in a year or two the measures now adopted, even had we succeeded in averting them for the present season. The attempt in the preceding season to interfere with the nomination of the person appointed by the Honourable Court to conduct their affairs; the annual vexatious delays in our commercial intercourse on the most trivial occasions; the attempt of establishing a Cohong, for which the Imperial sanction was obtained in July 1813; the issue of an Edict withdrawing our native attendants and prohibiting any Chinese communicating with us; the seizure of a person supposed to be attached to our interests, and having been confidentially employed by us in a mission to Peking; the returning of our addresses unopened; the demanding that in future all communications should be written in English (to be translated by the Hong merchants), afford strong and concurring evidence of the real object in view.

7. In determining the mode to be adopted in discussing the several grievances with the Mandarins, the question arising out of the seizure of the Linguist employed by us on a mission to Peking, appeared to demand our first consideration; and if our interference could avail, we were bound to exert it in favour of the prisoner. The judicial proceedings then pending rendered an early application necessary, and it was more particularly urgent to obtain a clear explanation of the crime alleged against him, and how far we were implicated, previous to any report of the affair being made, as it was important that no unfounded or unfavourable statement should be sent to Peking. Your Honourable Committee have been already informed of the official declaration of the Viceroy, that the arrest of the Linguist was not on any account of his connection with the English. With the

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Edicts on this occasion we declared ourselves satisfied, with the exception of an offensive paragraph, which, although not withdrawn, was ultimately explained, and the insinuations it contained disavowed.

8. On a perusal of these Edicts, and the arguments made use of by the Mandarins in the first conference with Sir George Staunton, it might appear to a person unacquainted with the Chinese Government, and the entire inconsistency of its practice with its professions, that the Committee had no cause of complaint, and that the Government were merely enforcing the laws against a delinquent, who having once been a menial servant had obtained rank. The specious show of reason and argument assumed on all occasions by the officers of Government, even in asserting a falsehood, must no doubt have the effect of inducing those who have not a local knowledge and experience to guide them, to judge more favourably of the Chinese character than they merit. We beg to refer your Honourable Committee to the report transmitted us by the Linguist of his examination, and his subsequent communications.

9. That our apprehensions of the intention of the Chinese government to make some unfounded report against the English to Peking, appears, by the account actually sent by the Viceroy, to be but too well grounded. It is to be observed, that this report was made at the very moment that official declarations, verbal and written, were given us that the punishment of Ayeu was in no way connected with the English; although, from this document (a copy of which we have privately received) it will be seen that it contains not only an implication of foreigners being connected with him, but a direct assertion that the Linguist was concerned with us in treasonable practices.

10. We do not apprehend that an assertion thrown out at random of so absurd and improbable a nature, and wholly unsupported by proof, will be attended with any evil consequences, at least as far as directly affects foreigners; but it is desirable to be prepared for every event; and in this point of view, the strong and ample disavowal which we have extracted from this government of every kind of allegation against us, under the Viceroy's own seal, appears doubly important; and, in the event of a reference to Peking on this subject at any future period from England, afford, we presume, the most effectual means of rebutting the charge, and bringing the misrepresentations and injustice of the Provincial Government to merited punishment.

11. The concession of the second point discussed is most satisfactory, and we are confident will be highly gratifying to your Honourable Committee. The free communication granted with the superior officers of Government by their promise to receive our addresses in the Chinese language without previous explanation with the merchants (with the single exception of an English copy accompanying it in the event of announcing an embassy) will, we trust, prevent the vexatious delays of a stoppage of chops, when the Hoppo officers shall be endeavouring to extort undue fees (by which acts our fleets are so frequently delayed), and prove a sufficient check to the unjust and illiberal insinuations respecting our conduct thrown out by those men interested in preventing a direct communication between us and the Government.

12. On the point of Chinese attendants, it appears that the prohibition of employing servants under a certain denomination has existed since the year 1740, and having received the Emperor's sanction, could not be repealed by the authorities in Canton. - For the revival

revival of this question and further regulations, we are indebted to the hostility of the Viceroy, Pà, who proposed the re-establishment of the Cohong system, and to whose conduct, together with that of those partizans he left in Canton, we may attribute the vexatious delays that have for some years occurred, as well as the more serious detention of our ships in the present season.

13. Although this point has not been so satisfactorily explained ~~and~~ we could wish, the Government, satisfied probably that the objections were made on vexatious and oppressive grounds, or that the alternative of our having so great a number of European attendants was, in fact, impracticable at Canton, having issued an authenticated document for the employment of Compradores, and as many servants under particular denominations as our Factory may require; we will therefore hope that the Government, satisfied their unjust measures will not be submitted to, no interference on the subject will again be attempted, and that the measure of prohibiting natives serving us, and ordering their seizure, will not again be resorted to.

14. On the explanation of the minor points, although less satisfactory, there is only one which appears likely to create any difficulty, which is, the necessity of applying for a license for boats passing the Bogue. This places the Compradores of the ships of war at the mercy of the officers commanding that fort, who, dreading the consequence of the impatience of the officers losing the tide by unnecessary detention, may be induced to pay a fee in some instance which will become an established custom, and a constant pretext for extortion. The verbal communication, however, of the merchants on this subject, induce us to hope the regulation will not be rigorously enforced.

15. We beg to draw the attention of your Honourable Committee to the anxiety shown to recall Sir George Staunton, as affording a proof that, however the Chinese government may declare in their edicts that no benefit arises to the Celestial Empire from the foreign trade, and that it is only permitted from pure benevolence, yet when endangered by their unjust proceedings, properly and firmly resisted, it will be found they are most fully aware of the reciprocal advantages of commerce, and most anxious for its preservation.

16. We hope that the steps taken this season will have the effect of preventing the officers of the Canton government from again entering into a course of violent and hostile measures without more fully satisfying themselves of the grounds on which they are proceeding; and as it will be our anxious endeavour not to allow them a pretext, we may further hope that the inconveniences and delays which have of late occurred will not again be experienced. At any event, we trust that we shall not in future find the representatives of the East-India Company stigmatized as staters of untruth, and His Majesty's officers with the name of plunderers; that we shall be allowed to call our employers honourable, and the King of England an independent Sovereign. The admission by the Chinese Government of our having other duties to perform than mere commercial transactions, as recorded on the edict received on the 28th ultimo, is highly satisfactory, as placing us on that footing which enable the Mandarins to communicate directly with us, and not to require the intervention of the Hong Merchants.

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**EXTRACT LETTER** in the Secret Department, from the **SELECT COMMITTEE** of Supracargoes at Canton to the Honourable the Secret Committee of the Honourable Court of Directors, dated 16th January 1815.

Par. 16. **WE** have to request the attention of your Honourable Committee to the several communications from the Linguist Ayow.\* They contain generally, we believe, a correct account of proceedings of the officers of Government, and the true causes that have excited them to the measures they adopted towards us. They are a further melancholy proof of the total and entire absence of all truth, justice or mercy, from Chinese tribunals, and where the undue influence of money is applied, all chance of a fair trial ceases to the unfortunate person accused.

17. This cannot be illustrated more strongly than in the statement transmitted to us by Ayow of the proceedings of the officers of Government towards him from the day of his arrest to the end of October. The Nam Hae-Heen is accounted a good and upright magistrate, and far exceeding his predecessors in these qualities, yet this officer, although fully satisfied of the Linguist's innocence, so much so as to be about to discharge him, on the application of Pinqua and Chunqua most readily promises to punish Ayow publicly, and before all the Merchants, provided they make a statement to him.

18. Your Honourable Committee will observe from his letters, that the terrors of the tortures to which he was now subject, and the laudable and honourable motive of not involving other persons, whom he might be required to accuse in the midst of his sufferings, determined the Linguist Ayow to put a period to his existence and sufferings by taking opium. We have the satisfaction to say that his intention was discovered, and in time to prevent any bad effects from poison.

19. It will be satisfactory to your Honourable Committee to be informed that the Linguist has not experienced any bad treatment of late, and that such accommodation as a prison affords (a separate apartment to himself) has been obtained for him.

20. Under this date† we have recorded the statement which it is said the Viceroy has made to Peking respecting the Linguist Ayow. We received it privately, and have to remark that neither Pinqua, Chunqua or the Hong Merchants, have publicly put us in possession of this document, or indeed have they acknowledged to us their being informed of any report having been made to his Imperial Majesty.

30. In the document we have received it does not appear that the charge against Ayow is of a serious nature, or such as to merit the punishment proposed (banishment to Elee), or to have required being submitted to the consideration of the Emperor. It is, at the same time, very probable that a much more unfavourable representation has been made to Peking, and in this case the punishment of Ayow will be more severe. Of this we are at present unable to judge; from the reply from Peking, and the proceedings of the Canton Government respecting Ayow, we may be enabled to ascertain what has been reported.

31. We must remark, in the report we have received, that connection with the English and

\* Letters of October 16, and November 8.

† December 11.

and the English Chief are stated as his offence. This was totally inconsistent with the expressed stipulations acceded to by Foo-ta-lo-yea, under the Viceroy's authority, in the conferences held with Sir G. Staunton, and it proves sufficiently that no dependance whatever can be placed on the assertions of the officers of this Government; and on the result, as it affects Ayow and involves us, we must determine on the line of conduct to be adopted in making a representation or otherwise to his Imperial Majesty.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE of Supracargoes at Canton to the Secret Committee of the Court of Directors, dated 6th February 1815.

Par. 5. SINCE the date of our last Address, the Emperor's answer, in reply to the Statement made by the Canton Government respecting the Linguist Ayow, has been received into Canton, we have obtained a copy of this document, a translation of which we have the honour to forward.

6. From this your Honourable Committee will perceive that the punishing the Linguist by banishment to Elu is confirmed, and that from the wording of the reply ample power is given to the Canton Government to charge and punish any individual for the offence of serving or having secret intercourse with foreigners; and from the documents already transmitted, your Honourable Committee must be fully aware with what facility any charge may be brought against an individual; and his own confession by the torture will be obtained, as the wishes of the Mandarin may direct.

7. From the *ex parte* statement of the Canton Government, perhaps we had no just ground to expect that any other reply could be made from Peking; at the same time we must observe, that the usual practice of submitting these cases to the (Board) Supreme Council was on this occasion dispensed with. From this we infer some unfair advantage has been taken by interested persons here; and aware with what facility money may be applied, we are inclined to believe that this has been employed to secure the sentence against the Linguist being confirmed, which, had it proceeded through the customary forms, and under the Superior Council, might have been rejected.

8. It appears from this document, that apprehension from the Christians is still prevalent. The serious insurrections that took place during the last year were endeavoured to be attributed to the Christians. It perhaps can excite no surprise that the officers of Government should generally, throughout the Empire, concur in endeavouring to find some other cause than their own malpractices and misgovernment in these discontents.

9. In compliance with the directions contained in the Imperial answer, the Linguist Ayow was summoned before the Foo-yuen and other principal officers of the Canton Government. He was interrogated as to his being a Christian, which he had no difficulty in denying, and performed the ceremonies required of trampling on the cross without hesitation. No further questions were proposed, and he was remanded to prison to



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await the final order from Peking, when he will set out on his journey to the place of his banishment, Elu, supposed to be situated nearly north of Nepal.

10. No further official communications have as yet passed between the Canton Government and our Committee on this subject. It was understood that the Fooyuen was most inimically disposed, and much inclined to avail himself of the latitude given by the expression of "rigorous inquiry," to extort some further matter on which he could ground an attack on us, or on some of the Merchants or persons connected with the foreign trade; but we are given to understand he found his wishes were not seconded by either the Viceroy or other Mandarins, who probably, from having been longer in Canton, were better acquainted with the consequences; and having experienced our firmness in resisting any oppressive measure, may have conceived it more politic to allow the affair to drop.

11. Having no real or just grounds for their proceedings, we believe that if this conduct was fairly stated to the Peking Government, it would be condemned, not from any sense of humanity or compassion to an injured individual, but on the score of policy, in endangering a commerce so generally beneficial to the provinces they are appointed to govern. We are, however, unwilling to intrude our complaints to Peking, as they will come with so much more effect from your Honourable Committee or from Bengal. We are rather disposed to permit the affair to remain for the present; but as no reliance can be placed on the officers of this Government, and as intrigues may always be at work to excite them against foreigners and foreign trade, we must await, in order to ascertain what may be the real intentions and designs of the Fooyuen and his instigators; and in the event of further attack, there will remain the resource of carrying our remonstrances to Peking.

12. Your Honourable Committee will no doubt appreciate the difficulties and the anxiety that must attend our differences and discussions with this Government. We feel, however, that they are unavoidable; for on our firmly resisting their unjust attempts can we alone depend on these attempts ceasing to be made. We are confident our resistance at the early part of this season operated in preventing any further measure being commenced against the foreign trade.

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(14.)—RESPECTING THE COMPANY'S SHIP GENERAL HEWITT.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 4th November 1816.

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Par 1. WE have fully detailed to the Honourable Court the discussions in which we have been engaged by the hostile measures pursued by the Viceroy of Canton, in the first instance, towards the General Hewitt, and the determined refusal of the officers of Government to receive or reply to our addresses; and lastly, the arbitrary and unjustifiable act of seizing our Compradore, maltreating him in a manner used towards the lowest criminals, upon an absurd accusation that he shewed Europeans the way to the city, or at least, that he, as residing in our house, must know the criminal person.

2. Whenever the officers of Government are unable to attach any blame to the Committee

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mittee itself, they resort to some tyrannical measure towards the natives in our employ; and this is the sole crime of which they could venture to accuse the innocent sufferer. We do most confidently hope your Honourable Committee will consider that it is our bounden duty to protect the persons in our employ; and at the same time that we hope for the approbation of your Honourable Court for the forbearance shewn in the present instance, when our ships unladen are under their control, and the particular circumstance of the Embassy being in this country. We do also trust your Honourable Committee will deem it our duty, at the close of this Season, or the commencement of the ensuing, to bring to some final decision the two essential parts of protection to natives in our employ, and the reception of our addresses, with replies properly addressed to the Committee, taking, for the basis of our negotiations, the convention signed by the present Viceroy in 1814.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 8th November 1816.

Par. 3. ON our arrival in Canton we found that the General Hewitt was detained below the Bogue, and one of the Hong Merchants deputed to examine and inquire whether she had actually conveyed the presents to Tring Sing. This measure was asserted to be necessary, in consequence of a report from a Mandarin at Macao, which stated that she had proceeded to a port on the coast, and delivered over the presents to the other vessels. We lost no time in addressing the Viceroy, assuring him she had proceeded to the port of Tring Sing, landed the presents, and, in pursuance of orders received in England, had returned to Canton for a cargo of teas; and we expressed our anxiety for an early despatch.

4. In the mean time, through the intercession of the Hong Merchant deputed to the Bogue, and Captain Campbell's exertions, the General Hewitt was brought above the second bar, but surrounded by armed boats, all communication forbid, and, at first, provisions denied; the latter prohibition was in two days removed. It became our duty to remonstrate against such proceedings, and we should have been fully justified in resorting to the strongest measures in our power for removing this insult to the British flag; but keeping in view your Honourable Court's orders to avoid, at present, all altercation with the officers of the Government, and anxious not to place his Excellency, Lord Amherst, in any unpleasant situation at this place, we addressed a moderate letter to the Viceroy, pointing out the indignity which we conceived was offered to a ship sent on a friendly mission, and again solicited the usual permission for lading the General Hewitt.

5. During the time that the translating of this chop required, we were distressed at the severe treatment which the Merchants received, from an assertion that they had misrepresented the orders of the Emperor. This arose from a Chinese character being used in our letter for Canton, which, strictly translated, means the city, and the waters running by it, from whence it was absurdly asserted we required the vessel being brought to the city wall. We did not hesitate a moment in correcting the error, by addressing the Viceroy, but this explanation he refused to receive; and though we declined addressing any other Mandarin, we readily proposed to write a letter to the Merchants themselves, which  
relieved

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relieved them from further trouble. This mode of attacking the natives concerned with us, for any errors committed, will no doubt appear to your Honourable Court to require most serious attention; and we are about to bring to the notice of your Honourable Court a most aggravated and unprovoked attack by this mode of procedure.

6. The merchants, for some time, refused to convey our addresses to the Mandarins, and, when induced to carry them, returned them as being refused. This act, in direct violation of the Convention agreed to and signed by the present Viceroy in 1814, would of itself have authorized strong measures; we still, however, under the peculiar circumstances of the Embassy, forebore proceeding to those lengths which this breach of faith would justify, but endeavoured, by every moderate means in our power, to enforce the reception of our addresses. The Merchants had obtained the Hoppo's sanction to landing the stores for His Majesty's ships; but much delay occurred after their promise of its being granted. They asserted, that if we could assure the Hoppo that the General Hewitt should remain till the Ambassador arrived, that her lading would be commenced. On this we could place but little reliance; however, they were assured, in return, that such a request, coming from either Mandarin, by letter, would be taken into consideration; and they were led to understand that it might be considered of sufficient importance to induce us to deviate from the positive orders of a speedy despatch. At length our second address was received, and an Edict published to the Merchants, which, we were informed, was the only reply we were to expect.

7. On perusal of this Edict, we were pleased to find that the Viceroy had abstained from the severe and haughty language of which in late years we have had so much reason to complain. At the same time, the mode of replying to our address, and the concluding order to the Merchants, enabling them at all times to refuse conveying them, were points of such material consequence to the interests of the Honourable Company, that we felt ourselves compelled to convey our sentiments to the Viceroy.

8. It evidently appeared to us by the tenor of the Viceroy's Edict, that he by no means felt himself justified in his proceedings towards the General Hewitt; and although we apprehended, if there was any truth in the assertion of his having solicited the orders of the Emperor on the lading of the ship, that he could not yield this point, we determined on moving the General Hewitt to Whampoa, as the only means of relieving her from the disgraceful situation in which she was placed, and of removing the guard boats. Captain Campbell was apprized of our intention; but previous to issuing the orders, we addressed the Hoppo, informing him that, in compliance with the Emperor's wishes for that ship proceeding to Canton, we had directed the commander to bring her to Whampoa, the anchoring place of this port; and we further took the opportunity of convincing his Excellency, that though loaded, she should remain till the arrival of the Ambassador, but if that was protracted to an unreasonable time, we trusted their Excellencies would consider the orders under which we acted.

9. The intent of this letter was frustrated by a refusal to receive it, and Captain Campbell, by the apparent fair promises of the Mandarin guarding his ship, was induced to delay his moving. In the first instance, the delay was regretted, but under the peculiar circumstances of the case, we approved of Captain Campbell's caution. These delays enabled the Mandarins, as will be seen on reference to our Consultations, to form such

such a plan as to make it appear hereafter that they themselves directed the ship to move to Whampoa; but it is to be observed, the Mandarin deputed on this occasion was not to grant his sanction till he was convinced Captain Campbell could not disobey the orders of the Committee. The similarity of this attempt to influence commanders of ships to disobey the orders of the Committee, to that resorted to with the country trade in 1814, is too strong to require any comments, and no doubt will so forcibly appear to your Honourable Court, as to insure a repetition of the orders of this season, which we with pleasure take the opportunity of acknowledging have been willingly attended to by commanders of all vessels trading to this port.

10. The General Hewitt's moving to Whampoa was a satisfactory object gained, as there could no longer exist any pretence for guarding her by armed boats. Her proceeding to Whampoa without opposition from the Chinese, was pleasing; at the same time, we had no cause on this occasion to apprehend resistance, from a conviction that the Viceroy had exceeded his authority. We are not so confident that your Honourable Court will approve of our orders to return a fire; but on a deliberate consideration of the peculiar case in which the Hewitt was placed, denied by the Chinese to belong to the merchant service, but as having accompanied the Embassy, was in their estimation a King's ship, we do trust your Honourable Court will consider us authorized to direct resistance in the event of an attack; and we should be wanting in our duty if we did not point out to your Honourable Court, that it is only from a belief that we dare not return a shot, that could ever induce the Viceroy, on his own responsibility, to order such treatment.

11. Our address to the Viceroy on the movement of the General Hewitt, had been four days in the Merchants' possession, and from most trifling excuses its presentation was delayed. At length this address, together with one to the Hoppo, were returned, and it was declared that these officers would not receive them. As far as concerned the General Hewitt, the delivery of this address was not material, further than the object of placing our sentiments and feelings on the records, if preserved, in China; but as the letters more especially entered into a defence of our conduct, and required some reply on the point of our addresses being received and answered, we deemed it our duty to proceed to the city gates, and in a few hours Captain Jameson assembled a party, and delivered the letter to a Mandarin at the gate of the Viceroy's palace.

12. We beg here to express our acknowledgments to Captain Jameson and the Commanders who accompanied him, for their ready compliance with our wishes, and for the able and discreet manner in which they were carried into effect. We have particularly to notice the conduct of Mr. Bannerman, who volunteered his services, and whose knowledge of the language proved highly beneficial on this occasion. We have further to express our satisfaction at the progress made by Mr. Bannerman, whose assiduity in endeavouring to accomplish this desirable object is highly pleasing to us, and creditable to himself.

13. Having fully explained to your Honourable Court the measures pursued on this occasion, which we trust will be considered as carried to the utmost line of forbearance, we have to bring to the notice of your Honourable Court a most provoked and unjustifiable attack on us in the person of our Compradore. We must acknowledge it has not been

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been unusual for the Mandarins to endeavour to terrify, or perhaps rather to work on the feelings of the Committee, by similar acts of tyranny on their own subjects on several occasions; but when committed in direct violation of the convention agreed to in 1814 by the present Viceroy, it will afford a convincing proof of what little reliance can be placed on the Edicts of the officers of the Canton Government, much less on the promises conveyed to us verbally by the Merchants.

14. The Compradore was summoned to the city, and two Merchants deputed to the President to apprise him of the circumstance. In the presence of these Merchants, who must have been well aware of the fate that awaited him, the Compradore, conscious of his innocence, declared his wish to answer the summons. In a few hours he was beaten and tortured in order to draw from him a confession of what native had shown the Europeans the way to the Viceroy's house. A reference to records of the frequent visits made to the gates and within the city, would prove the fallacy of such an attempt to cover deliberate insult to the Committee, which the Mandarins do not fail to resort to whenever they are unable to attach any blame to the Committee itself. If such a proceeding is not firmly resisted, it will become necessary to forego all communications with the officers of Government. The Merchants are directed not to convey our letters, and when carried by Europeans to the city, directed there to be received by the laws of China, a Compradore, entrusted with the charge of our treasury, is seized, beaten and tortured in a manner used only to the lowest criminal. Under these circumstances, your Honourable Court will perceive no respectable Chinese can be found to serve us.

15. We have endeavoured by every possible means to obtain his release, but it is with regret we state they have been ineffectual, and that the Merchants have evinced an indifference on this occasion highly discreditable to themselves. We have, however, attended to their suggestion to remain quiet, under a belief that the object in view might be obtained: in the mean time, however, we deemed it necessary to prepare the Cornwall as a packet, that, in the event of trade being stopped, we might secure a conveyance for a statement of facts, to relieve your Honourable Court from the apprehensions occasioned by private reports. Delay was convenient in order to complete the cargo of the Cornwall, and that object being accomplished, we have applied for the port clearance, stating as the motives for this despatch, the necessity of apprising the high authorities in England of the cause of detention of the General Hewitt.

16. On a review of our proceedings, we do confidently hope your Honourable Court will be satisfied that forbearance has been carried to the utmost extent, and that an anxiety to prevent embarrassment to his Excellency Lord Amherst, will be deemed by your Honourable Court a sufficient reason for not resorting to such measures as are in our power, and which we believe might have brought this discussion to a close. What further remarks may be requisite on this subject, we shall have the honour to address in our Secret Department, and proceed to the details necessary on the despatch of the Cornwall.

21. Since writing the above paragraphs we received an Edict of the Viceroy, a translation of which is forwarded in the extracts from our Consultations, and will no doubt evince to your Honourable Court the difficulty under which we labour in all negotiations with a government so void of truth in all their proceedings, and whose Edicts and actions on no occasion accord. Your Honourable Court will observe the declaration of our address

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having been presented by the Merchants, at the moment that our Compradore is still in confinement, and has undergone the severest treatment from false accusation of having conducted Europeans into the city. It is however a conclusive argument, that we committed no error in proceeding to the city with our address, as it would have been readily seized as an act of delinquency had it been contrary to the laws of China. The describing the General Hewitt as lying at the second bar, or rather affecting ignorance of her being at Whampoa, is a convincing proof, added to many, of the statements that are made on all transactions with foreigners. Should any reply be necessary, which however at the present moment with some prospect of commencing the lading of the General Hewitt, may be doubtful, it will require much consideration; and it only remains to assure your Honourable Court, that however we must feel the continued insults in refusing our addresses, and the style of replying to them, together with the unjust seizure and detention of our Compradore, we shall exert the utmost forbearance to prevent any embarrassment to the Embassy during its residence in Canton. We beg however to suggest to your Honourable Court a letter from His Majesty's Ministers to the Viceroy, warning him that a repetition of such acts must tend to break the bonds of amity so essential to both empires.

22. We have now the pleasure to announce to your Honourable Court, that the Merchants have this morning presented an Edict, stating that a reply has been received from his Imperial Majesty, granting the required cargo for the Hewitt, but clogged with provisos from the Viceroy himself of an unpleasant nature. It is demanded that we should write an address, which may be considered as a bond for the detention of the General Hewitt till the arrival of the Ambassador. We have assured the Merchants, that our word having been once passed, as has been done in our former letters to the Viceroy and Hoppo, we shall never deviate, and that they may safely enter themselves into any security on this point. With respect to a positive injunction to load the returned presents in the Hewitt, we have informed them that their shipment will depend entirely on the wishes of the Ambassador. But we have peremptorily refused to write any letter dictated to us by those officers of Government, who have declined receiving our several addresses, and obstinately persisted in not acknowledging us by replies, as agreed to in the year 1814. In this point we feel confident your Honourable Court will approve our steady resistance: and the conduct of the Merchants this morning, throwing every impediment in the way of reconciliation, was such as to compel us expressly to state, that the present discussion has been carried to a length, which their personal influence might have prevented, had not the two most wealthy Merchants conceived it an opportunity of once more making themselves the channel of communication between Europeans and the Government.

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EXTRACT LETTER, in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 4th December 1816.

Par. 8. We have the pleasure to inform your Honourable Committee, that our Compradore has at length been liberated, after a confinement of thirty-five days; he is much  
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disfigured

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disfigured, and evidently suffers great pain from the severe treatment he endured. The Linguist was released at the same time, but the person called Atong is still in confinement. We called on the Merchants to know if this man was detained in consequence of his visit to the President, and they assured us on inquiry that his further detention arose from several serious complaints which had been preferred against him by the village in which he resides; of the nature of these complaints however they declared themselves ignorant. It is with regret we observe that we do not consider ourselves in any way indebted to the Merchants, at least the three seniors, for this release; the apathy shown by them throughout this occurrence would lead to a confirmation of the accusation against them in having been the primary cause of this seizure.

9. Your Honourable Committee will observe in our Secret Diary of the 24th November, a serious cause of apprehension in the information which we have received of a private order from the Viceroy to the police magistrate, to seize several persons in our employ. We felt it our duty to prepare a letter on this subject, but have received such assurances from the Merchants that lead us to hope this severe measure will not be pursued at present; but at the same time we fear that, notwithstanding the convention signed by the present Viceroy in 1814, it will be resorted to whenever the officers of Government may find an opportunity of annoying. Unwilling to enter into discussions unnecessarily, we have withheld our remonstrance, and as a change is to take place in one of the principal officers concerned in this measure, we trust the Merchants may prove successful in withdrawing the warrant.

10. A statement of our Public Proceedings, as regarded the General Hewitt, was forwarded to the Honourable Court by the Cornwall. Our endeavours to remove the stigma thrown on a vessel attached to an important mission, and to carry into effect our orders in an early despatch of that ship, will, we hope, meet the approbation of your Honourable Committee. We have since that time proceeded quietly in the lading; but on the 2d instant the Merchants delivered an Edict, which they informed us required a written assurance from the Committee that she should wait the return of the Ambassador, and that room should be left for the presents; the former demand intimated a doubt of the Committee fulfilling their engagements, which could not be considered but as insulting and unwarrantable in men who must know that the Committee had never deviated from their word. With respect to the presents it had been fully explained to them, that whatever directions the Ambassador gave would be attended to, and they had been desired to state the number of ships that were at our disposal. In reply they declared they had signed a bond, stating every particular, as directed by the Committee; but the officers of Government were apprehensive that when loaded, the General Hewitt would be despatched: this insinuation was offensive, but we stated that when we were satisfied of the contents of the Edict, it would be replied to.

11. We were apprehensive, by the manner of the Senior Merchants, that more was implied than expressed by them, and in the evening, the teas ordered for the General Hewitt were stopped. This was an act that broke every engagement; and we prepared a short letter to the Viceroy, observing, that as the orders of his Imperial Majesty were disobeyed, it became our duty to follow the instructions of our Honourable Employers, and we had therefore to request the grand chop, unless she was permitted to continue her lading. We apprized the Merchants of the contents, and called on them to use their exertions

exertions to prevent any further discussion. They were aware of the reasons of the delay in replying to the Edict, as all persons in our employ were fearful of attending; but whilst it was preparing it was their duty to prevent all irritating steps in their power, by proper explanation, to fulfil our wishes. Puankhequa appeared to acknowledge the justice of our request, but Pinqua would not coincide, as they were of opinion no further cargo would be permitted unless our bond was given. We presented this short address, and if their endeavours failed with the Hoppo, they might present it as our reply to the Edict. We learn to-day the letter has been received by the Viceroy.

12. We should incur great risk of committing ourselves did we venture an opinion on the reply to this letter; but as the General Hewitt is not far short of her cargo, we trust your Honourable Committee would approve of the measure of despatch, should the credit of the nation require such a step. It only remains for us to assure your Honourable Committee, that it would not be resorted to but in the event of meeting such hostile language or treatment as would render further forbearance censurable. And we would wish to impress on your Honourable Committee, that we do not at present apprehend any serious consequences.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 19th December 1816.

Par. 3. It is with satisfaction we report to your Honourable Court, that a full lading has been permitted to the General Hewitt, on the condition that she remains till the arrival of his Excellency Lord Amherst. The delay that has occurred on this occasion has arisen from the highly reprehensible conduct of the Senior Merchants, who, in a most insulting manner, refused to place confidence in our word. The Viceroy required a reply to his Edict, and the further security from the Merchants, that the General Hewitt should be detained till the return of the Ambassador. The reply to the Viceroy's Edict was instantly prepared, and every assurance was given to the Merchants that it should be delivered to them whenever the offensive measure of stopping the teas ordered to be shipped for the Hewitt was removed, a measure which we believe originated in their fears; but if it was determined by the officers of Government that no more cargo should be permitted, it became our duty to despatch that ship immediately.

4. After a discussion of several days, when the Merchants found us determined in our resolution of despatch, a proposal was made by one of them of an additional paragraph to our letter, the purport of which had been privately explained to him. The object proposed to us was, the requesting the favour of an immediate despatch of the Hewitt, and a promise that two vessels should be detained for whatever articles his Excellency the Ambassador might wish to send on board. This was readily admitted, but they were apprised that we did not bind ourselves to ship the presents. A proposition was at length made by the Merchants, whether, if all the forms of shipping the teas in dispute were accomplished, we would deliver the reply directly into their hands. This having been the sole preliminary required by us, was readily assented to, and we hoped no further discussion would be necessary.



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5. The Merchants, however, returned with our letter and proposed several alterations, which seemed suggestions of their own; and though apparently trifling in their nature, might have been turned to improper use; these were therefore refused. In this conversation, the intent of the Merchant in proposing the additional paragraph was discovered; and had we been dependent on the Chinese for our translations, as in former days, when this Merchant conducted the negotiations with the officers of Government, we should have been made to promise that the Hewitt should await the arrival of the Ambassador; but that if his Excellency despatched her immediately, two ships would be detained for the presents. This prevarication and attempt to overreach the Committee led to an unpleasant discussion; however, we could but regret we were deceived in the support that had been promised by him, and that the paragraph had been inserted. Unless, therefore, we were permitted to withdraw this request, no alteration could be made in the letter.

6. The Senior Merchants assembled the Juniors, and made a formal visit to the Factory, the purport of which the President had previously learnt was to obtain fresh assurances that the Committee were sincere in their intention of detaining the Hewitt. Having also been apprized that the Viceroy was satisfied with our reply, and only required the security of the Merchants for its strict observance, their hesitation on this point (which had led to the stoppage of the teas) was an insult that called for the strongest marks of our displeasure; and the President trusts your Honourable Court will approve of his refusing to converse further on this subject, or to summon the Committee. He desired them, Mr. Urmston being present, to obey the commands of the Viceroy, or to present the usual application to the Hoppo for the port clearance, which he delivered to the Head Merchant. They declined the latter alternative, and proceeded to the city to sign the required bonds.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 19th December 1816.

Par. 1. WE had last the honour to address your Honourable Committee on the 4th November, and it is with satisfaction we report that our endeavours to obtain a full cargo for the Honourable Company's ship General Hewitt, have been successful.

2. It has been our intention on finding the arrival of the Ambassador did not take place at the time appointed by the Viceroy, to request His Excellency would grant permission for the sailing of the Hewitt, on our pledging that two vessels should be reserved for whatever articles his Excellency the Ambassador might wish to be shipped. We were precipitated into this measure by a similar proposition being made by one of the Merchants, and his anxiety for its insertion in our letter led us to hope a favourable result. The turn, however, that was intended to be given to such application is fully detailed in our Public Letter by this opportunity, and most clearly evinces the necessity of encouraging, by every means, an obtainment of a perfect knowledge of the Chinese language.

(15.)—RESPECTING HIS MAJESTY'S SHIP ALCESTE.

(E.)  
Redress of  
Grievances, &c.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 8th November 1816.

His Majesty's Ship  
Alceste.

Par. 23. We have now to report to your Honourable Court the safe arrival of the Alceste and Lyra on the 2d instant off Lintin. By letters received from Captain Maxwell this evening, we have reason to apprehend that the same hostile measures are proceeding with His Majesty's ships as was adopted with the General Hewitt; however, as it is probable that as the discussion will occur without the Bogue, no material obstruction is to be apprehended to our concerns, and we trust in a short time to be enabled to despatch to your Honourable Court the early ships of the season with more authentic information.

LETTER from Sir Theophilus J. Metcalfe, Bart., PRESIDENT of the SELECT COMMITTEE of Supracargoes at Canton, to Thomas Reid, Esq., Chairman of the Honourable Court of Directors, dated Canton, the 16th November 1816.

(Private.)

Dear Sir:

THE American Consul called on me late this evening, to say, a fast sailing American vessel would be despatched per Amsterdam to-morrow. To write a public opinion on the result of Wednesday night would be committing ourselves; but as exaggerated reports now flying about will reach England, it will prove satisfactory to you to receive some particulars from me. On the arrival of the Alceste, a Mandarin with a blue button went on board at Lintin, stating himself to be deputed from the Viceroy; he was civilly received. Captain Maxwell requested him to convey his wishes to the Viceroy for entering the Bogue, and fair promises were given. In a day or two another Mandarin visited the Alceste, who declared himself to be deputed by the Viceroy. On Captain Maxwell observing he had already communicated with an officer of rank, who had promised to convey his wishes to the Viceroy, he was informed the first Mandarin was not authorized in what he had done or said. Captain Maxwell instantly requested some proof by which he might ascertain on what authority he himself visited the ship. The reply was given in strong assurances, and as a proof, he would instantly return to the Viceroy, and bring such an answer. Captain Maxwell desired him to fix a day, and he named five days hence, to which the Captain objected, as being too long, but at length agreed, and describing his ship in distress from bad weather, stated the necessity of proceeding into smooth water within the Bogue. This man departed, promising to return with a reply. Captain Maxwell remained quiet six days, receiving many insults to the British flag. Provisions were only to be procured by the Compradores at night bringing them on board. Armed boats, though keeping some distance, were stationed round her. These removed themselves in a few days, but were met again near Chunpee. The time being expired, the Alceste weighed anchor, and proceeded to Chunpee. She found

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found stationed here a flotilla of boats, the Commander of which sent a low Chinese to order him to anchor, or a gun would be fired. The words had scarcely passed his mouth when the threat was put in execution, and they fired several guns without shot. Captain Maxwell received it as a salute, and returned it with blank cartridge. Shortly, however, shot passed by from junks and the fort. You will readily, sir, conceive the feelings of a Captain of a British man-of-war, who in this spot was committing no act that could give offence, for the ship was below the place where the men-of-war usually anchor. One shot fired over the Chinese Commandant's head silenced these warriors, and Captain Maxwell feeling pity for the men, acting most probably under strict orders, did not continue. The wind failing, and tide nearly down, the Alceste was compelled to anchor; and here I must observe, that a Merchant told me this morning that this step was reported to be in consequence of the active exertions of the squadron. In the evening the wind proving favourable, Captain Maxwell weighed anchor, for having found the Chinese so determinedly hostile, it became necessary to support the honour of the flag, and to maintain the privilege granted to the Lion, by instantly proceeding within the Bogue. The moment she weighed, a signal was made from the boats, and lights displayed at all the forts, with a sharp cannonade from four forts, containing probably 80 or 100 guns, two of which have been lately erected. Several shot struck the Alceste, two of which are at present in her bows, and it was impossible to carry forbearance any further. Captain Maxwell when sufficiently near the forts, about half a musket shot, poured in his broadside; the lights disappeared in a moment, and little more was heard from those on the starboard side; but a fort on the larboard, against which the guns could not be brought to bear, continued its fire for some time. The Alceste anchored at second bar without further molestation, and Captain Maxwell arrived in Canton this morning. Thus far is a short statement of the movement of the Alceste, which will undoubtedly give rise to many reports. We have now from the inferior Chinese accounts from three to forty men killed; but from the manner in which the Senior Merchants behaved yesterday, when they declared their ignorance of any firing having taken place, and their readiness to place the ship in any port, if she would retire in one day, I am led to believe they will not admit the firing, and that they would willingly hush up the encounter. This England cannot consent to, and believe me, sir, the acts of a Viceroy will ever continue arbitrary and unjust, if not properly resisted. The trade only requires a check on his conduct, and the extortion of other Mandarins at Canton, and I trust the cautious, judicious and firm conduct of Captain Maxwell on this occasion, will lay the foundation of placing the Company's trade on a steady footing, and receive that support from the Ministers and Court of Directors as will convince the Chinese the blood of Lord Anson still flows in the veins of Englishmen. I might be told, as President of the Factory, these are not the sentiments I should promulgate; in reply, I assert they are the sentiments held in private by every man who has visited China in the last twenty years, and it is only to be regretted, the constant victories gained by a few Supracargoes should not have carried such conviction, as to make these sentiments more agreeable. I am aware they are not to be stated in a public letter, but as throughout life I have never disguised my opinions, I feel it my duty to convey them in some manner. I have lost my most worthy father, and have not the honour of being intimately known to any Director. That father introduced me to you, and taught me, sir,

to

to respect your character to a degree that has induced me, in a mixture of public and private, to convey the actual state of things in China.

Now, my good sir, to the part we have taken in regard to the *Alceste*. With the Merchants I have declined all interference, and referred them to her captain. But, as was my duty, I privately warned Captain Maxwell of the character of those he had to deal with. If he did not think the privilege established by the *Lion*, viz. entering the Bogue, a sufficient point to be attempted whilst any risk of discussion existed, I suggested a plan of proceedings for remaining without the Bogue; but if he conceived the Ambassador wished, and his own judgment determined him that it should be insisted upon, I then pointed out the fallacy of negotiation, and that in China the act must be performed and afterwards discussed. Had any formal application been made, it would have been refused; not upon the laws of China, but the arbitrary pleasure of an hostile Viceroy, and any proceeding contrary to his expressed will and pleasure would have proved very serious. As it is, I do hope the Viceroy will discover his error throughout, and that no evil consequences may arise to our trade. In a fortnight I hope we may despatch some of our ships with the result. From present appearances, I should boldly say, there is no cause for apprehension, but if I am mistaken, I should beg to plead, that the man who can, in China, decidedly prophecy the acts of the morrow, is unborn. A few more words on myself. If these ideas should be held as too strong, I have only to request I may be judged by my public acts, and I feel confident that no chief under whom I have served will scruple to say, the Company never had a more zealous servant. Throughout my conduct in this present discussion, I condemn myself for forbearance; at the same time, I act from instructions, and have only the alternative of endeavouring to convince the Court, that absolute submission is not necessary. I trust I never shall be the cause of losing the trade, or, I hope, give the Company real cause to be offended with me. Again apologizing for intruding myself on you,

I remain, dear Sir, your's most faithfully,

(Signed)

THEOS. J. METCALFE.

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*Alceste*.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 4th December 1816.

Par. 2. SINCE we had last the honour to address the Honourable the Secret Commercial Committee by the Cornwall, His Majesty's ship *Alceste* has entered the river, and we beg to refer to our Public Consultations of the 17th November for the statement which we received from Captain Maxwell of his proceedings, and the hostile opposition of the forts at the Bogue, unjustifiable in its commencement, at Chunpee, and we are confident in no means warranted by any orders from his Imperial Majesty. When it was known that the *Alceste* had entered the Bogue, we learnt that an Edict was published in the city, notifying that although unusual for King's vessels to enter the river, on this particular occasion permission had been granted. Such an assertion will

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will be convincing to your Honourable Committee of the little reliance that can be placed on any edict.

3. Captain Maxwell on his arrival in Canton addressed a letter to the Viceroy, which was translated by Mr. Bannerman with the assistance of Mr. Ball, and it is with pleasure we notice the satisfaction expressed by Captain Maxwell of the manner in which this translation was made. The letter was sent through one of the Compradores to the head Merchant by Captain Maxwell, with particular directions that he should deliver it with his compliments. The President had previously informed the Senior Merchants, that it would be delivered to them in this manner or by Captain Maxwell himself. It was at their own request that they became the bearers of the letter; it however suited the purpose of Government that the Committee should be connected with this transaction, and consequently the Merchants did not scruple to assert they had received the letter from the President; our Compradore readily appeared before the Merchants, and declared that he had never mentioned Sir T. Metcalfe's name, but stated the letter was delivered to him by Captain Maxwell. Pinqua and Puankhequa however firmly denied this, and claimed a right to belief from their both concurring in the assertion; we are, however, confident the Compradore would not have ventured to appear before them in this manner, had he not strictly obeyed the injunctions given him. Any altercation must have led to a very serious dispute, but we have thought it our duty to report it to your Honourable Committee, as a proof of the deceits which are practised in all negotiations with this Government.

4. This conduct came to our knowledge by our permitting Puankhequa to read an address from the Viceroy to the Merchants, which directed them to apprise the President for the information of the British Captain, of his answer to Captain Maxwell's letter, the preamble of which stated the letter had been delivered to them by the President. In the course of the reading of this document, to which we had consented as a private communication, we fully discovered their intention of reporting to the Viceroy that his orders had been obeyed; we therefore stopped their further proceedings, and we trust your Honourable Committee will approve of our determination not to interfere in this discussion.

5. It appeared by the extracts read to us, that the Viceroy had omitted such parts of Captain Maxwell's letter, the terms which might either be offensive to the Government, or more particularly pointed out the unjustifiable acts of hostility; the defence set up for the conduct of the officers of the forts was alleged to arise from the hasty proceeding in entering the Bogue, which did not permit the receipt of his orders, said to have been published on that very day, in the Edict to which we have alluded in the 2d Paragraph. We do not hesitate to express our firm belief that no success would have attended negotiation, and that but for the judicious and firm conduct of Captain Maxwell, the privilege granted in 1793 would not have been preserved.

6. Although we had informed the Merchants that no Captain in His Majesty's Navy, employed on so important a mission, could receive an answer addressed to Merchants, they proceeded to visit Captain Maxwell, who, as expected, refused to see them. They afterwards sealed the paper, and sent it by a Compradore, which was returned, and on our pointing out the impropriety of such a proceeding, they declared the order from the Viceroy is so positive, that they must endeavour, by all means in their power, to obtain

obtain its reception; we have assured them this is unavailing, and if the answer is not given in a respectful manner, it is not required, but Captain Maxwell will probably again address the Viceroy. The Lyra brig anchored at the second bar without molestation; pilots were offered, and every mark of attention shown on passing through the Bogue.

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(16.)—DISCUSSIONS WITH THE GOVERNMENT OF CANTON.—SEASON 1817-18.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE of Supracargoes at Canton to the Court of Directors, dated 8th December 1817.

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with Canton  
Government.  
Season 1817-18.

Par. 62. IN the course of last summer, an attack, of an unusually daring and atrocious nature, was made by a party of Chinese upon the American ship Wabash, while at anchor in Macao Roads, by which several American seamen were killed, property in opium, dollars and articles of lesser value, was carried off. We deemed it proper to address the Government upon this occasion, to give weight to the representations of the Consul of the United States upon a subject which involved the interests of all foreign nations trading to China. A number of the robbers were shortly arrested, together with considerable part of their booty: three of the former underwent capital punishment at Canton; the opium being a prohibited article was ordered to be destroyed, but the money was restored to the commander of the ship, who was called before the Quanchow Foo, and dismissed with a reprimand for appearing upon the coast of China with a prohibited article, by which he had subjected himself to a punishment, though it was remitted in this instance as an act of clemency.

63. The captains of the country ships then recently arrived appealed to us for instructions for their guide: the question was one of peculiar delicacy. Nations in general must be admitted to possess the right of regulating their commerce according to their separate views of policy; but China forms an exception to civilized countries, where trade is regulated by treaties. Foreigners have, equally with natives, the protection of the laws. When custom is invariably referred to by one party as the rule of action, it is but equitable that the advantages of that test should be reciprocal. Viewed in a prudential light, the admission of the novelty attempted to be imposed by the Merchants was greatly to be deprecated, as the records of the official year 1800-01 prove, that a conspiracy to attach the charge of smuggling to an obnoxious Hong is within the ingenuity of the Chinese. Upon reviewing the circumstances likely to arise from the admission of the bond by foreigners, we resolved to oppose the measure rigorously, issued orders to the commanders of all country ships, forbidding the signature of any such instrument; after a considerable delay, and some correspondence with the Merchants, the measure was abandoned by them, and trade resumed as formerly.

64. Transactions had scarcely taken their usual course, when threats of an intention on the part of the Chinese Government to search all ships in the river, occasioned a second appeal to our Board from the captains of country ships. The same reasoning

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which against general principles justifies opposition to the enactments of this Government, in the instance mentioned above, imposed it as a duty upon us to manifest a determination to unite the force of the British trade, to resist an innovation which would entail very serious impediments upon the trade between India and China. The removal of His Majesty's frigate Orlando from Lintin to Chunpee, joined with the publicity of the resolution to resist a search, we believe had a due effect, and the apprehensions of the attempt being made gradually disappeared.

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(17.)—DISCUSSIONS WITH THE GOVERNMENT OF CANTON.—SEASON 1820-1821.

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Chinese killed by an Officer of the Company's Ship London.

LETTER from the SELECT COMMITTEE at Canton to the Secret Committee of the Honourable Court of Directors, dated 7th December 1820.

Season 1820-21.  
Death of a Chinese.

Par. 1. We avail ourselves of the departure of the American ship Ophelia, bound direct to Cowes, to address your Honourable Committee previously to our closing our despatches to England by the Honourable Company's ships Orwell and Scaleby Castle, which will sail in a few days.

2. We think this indispensably necessary lest information from other quarters should be received in England before those ships arrive, which may create alarm and apprehension to the Honourable Court, from the unfortunate occurrence of a Chinese having been killed at Whampoa on the 27th ultimo, whereby we have been involved in a discussion with this Government, and which at one time led us to apprehend the most serious embarrassment to the Honourable Company's trade in China.

3. As your Honourable Committee will very shortly be in possession of our detailed proceedings, we shall confine ourselves to a brief statement of the facts which caused this unfortunate occurrence, the steps adopted by the Chinese authorities in consequence, and the remarkable and singular circumstances which have been fortunately combined to bring about a favourable and speedy termination of the difficulties which have threatened the Honourable Company's interests at this port; the details of our proceedings upon this important subject we shall forward by the Honourable Company's ships Orwell and Scaleby Castle.

4. On the 27th ultimo a boat from the Honourable Company's ship London, with Mr. Pigott, fifth officer, and six men, proceeded up a branch of the river some distance from the shipping, for the purpose of procuring water; during their passage up to the watering place, as appears from the depositions of the seamen, they were assaulted with stones, and also experienced (as is but too common) much abusive language from the Chinese on the banks of the river; a ship's musket had been unfortunately put into the boat, and Mr. Pigott, in order to intimidate the Chinese, on one occasion discharged it loaded with peas in the direction of a party consisting of men and boys who were thus irritating him; after an interval he loaded the gun with what is supposed he believed was a blank cartridge, and on another occasion of abuse and much pelting, he discharged it

it a second time so loaded, intending to fire it over the heads of the insulting parties; it appears he was not aware that he had struck any of the Chinese by these shots; and it is stated by the seamen in the boat that they conceived no dangerous consequences had ensued. Having completed their watering trip, they returned late at night to the London.

5. It has since appeared that both these shots took effect, the first by slightly wounding three boys, and the last by occasioning the death of a man.

6. Some Chinese who were near the spot at the time, in order to ascertain who were those who shot the man, pursued the London's boat, and having traced her alongside, proceeded at once to the Mandarin of the di-strict, and lodged a complaint against that ship, with all the circumstances of this unfortunate event; the result of this was an official communication from the Puan-hu-Hien to the Merchants, recapitulating the circumstances, and directing immediate inquiry to be made for the offenders, and the nation to which they belonged. This official document, dated on the 2d December, was communicated to us by the Merchants on the morning of the 29th ultimo, and was the first intimation we had of this unfortunate occurrence.

7. The delay that thus occurred before we were made acquainted with the circumstance, and the advanced progress the affair had arrived at in the knowledge of the officers of Government, rendered it difficult, if not impossible, to silence its further progress by pecuniary bribes, but we lost no time in trying their efficacy, and succeeded so far with the family of the deceased Chinese, in quieting the expression of their feelings, and neutralizing their evidence, as to make it appear this unfortunate occurrence was wholly unintentional; and we sent off an express to Macao for Dr. Morrison, who was absent with our permission, but whose immediate presence now became indispensable.

8. As we were assured a discussion with the Government was inevitable, and that their demand for an investigation into the affair and surrender of the offending party would be peremptory, we lost no time on the 30th ultimo in appointing a Committee of Commanders, to proceed instantly to Whampoa to inquire into the circumstances, and make a report of their proceedings to us in writing.

9. On the 1st instant the Puan Yue Heen, Magistrate of the Whampoa district, proceeded down to Whampoa, and, with the accustomed formality, held an inquest on the body of the deceased Chinese; and having completed the depositions taken on this occasion, he forwarded his report to the higher authorities; it arrived in due course to the knowledge of the Viceroy, who, jointly with the Hoppo, issued an Edict addressed to the Merchants, dated the 2d instant, requiring them without delay to acquaint the English Chief with these occurrences, and directing instant measures to be taken for investigating the affair, and apprehending the offender. This Edict was communicated to us privately the same evening, and on the following morning, the 3d instant, we received it from the Merchants officially, it was also coupled with another Edict from the Puan-yue-heen, stating that the business now assumed a more atrocious aspect, for it had been ascertained that three boys had been wounded on the 27th ultimo, besides the Chinese who had been shot; it further added, that as this affair was traced to have been committed by persons belonging to the London, all commercial intercourse would be suspended with that ship until the offending parties were delivered over to them for



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trial and judgment; no suspension, however, of the general commercial intercourse, or interdiction to the departure of ships took place.

10. From the Report of the Committee of Commanders we could obtain but very vague information as to the facts which led to this unfortunate affair, but we received the certain intelligence that Mr. Pigott, the fifth officer of the London, was missing, and we have since learnt that he absconded on the 1st instant.

11. Immediately on receiving this intelligence, we directed strict search to be made for Mr. Pigott in all British ships in the port, with directions for his apprehension, which however proved fruitless.

12. Dr. Morrison arrived at Canton on the 3d, and by his valuable assistance and thorough knowledge of the Chinese language, we were speedily put in full possession of the tenor of the demands made by this Government; but as on so important and serious a subject it would be imprudent to be precipitate in our reply to the Viceroy, we informed the Merchants we must deliberate upon it, and form an answer on the following day.

13. Although Mr. Pigott's having absconded relieved us from all apprehension of the necessity that might otherwise have existed for our submitting to his being examined, and perhaps convicted of an offence which our laws might probably consider as manslaughter, but which those of China would treat as capital, we were unavoidably exposed to great difficulties and embarrassments; for the idea of a criminal having escaped, however great the opportunity afforded him for so doing, was an occurrence which the Chinese authorities could never publicly avow as possible.

14. In this dilemma, while deliberating on the measures it would be necessary for us to adopt, an event took place on board the Honourable Company's ship Duke of York, at Whampoa, as unexpected in its occurrence as it was likely to prove favourable in its consequences in putting an immediate termination to our difficulties.

15. An express reached Canton late on the night of the 3d instant, informing the President that on that day, shortly after an officer and party were on board the Duke of York charged with our orders to search after and detain Mr. Pigott, the butcher of that ship had suddenly cut his throat with a razor, and instantly expired. The first idea that suggested itself to the officers at Whampoa was to carry the corpse of this unfortunate man to the London, and affirm that it was the remains of the fifth officer of that ship. It was finally, however, arranged that no measure should be taken without our previous knowledge.

16. We determined upon ordering that the body should not be removed from the Duke of York; for great as the temptation was to avail ourselves of this most singular and remarkable coincidence to delude the Chinese Government with the idea that the person who had thus committed suicide was actually one of the persons in the London's boat on the 27th ultimo, and that he had been induced to commit violence upon himself from the dread of his impending fate, and a sense of deep remorse at the unfortunate events of that day, we did not conceive it would be consistent either with our own feelings or the character necessary to be maintained by the representatives of the British nation in this country, to affirm in writing a statement not founded in truth.

17. As, however, the Chinese Government might choose to avail themselves of such a subterfuge (and we were informed the Viceroy would gladly embrace it), we considered

it our duty, under the embarrassments we might otherwise be placed in, to facilitate rather than impede an inference to be drawn from the above circumstances which might enable them to satisfy the forms of justice.

18. We accordingly, on the 4th instant, addressed a short note to the Merchants, the substance of which, at their request, on the subsequent day, we embodied in an address to the Viceroy, copy of which we have the honour to enclose, and which we trust will meet with the approbation of your Honourable Committee.

19. The result of the letter we thus addressed to his Excellency was an order from him for the Quang-chow-foo, and two Mandarins of rank, to proceed with the Merchants to Whampoa, to investigate the causes which led to the suicide of the butcher, and to investigate the boat's crew of the London.

20. On the 6th instant the above-named officers of Government proceeded on board the Duke of York on duty, and having examined the corpse of the butcher, and satisfied themselves that he had himself put a period to his existence, they summoned the six seamen who were in the London's boat on the 27th ultimo before them, for the purpose of obtaining their evidence as to the facts of the occurrences of that day.

21. This evidence, with a statement of all that took place on board the Duke of York before the Mandarins, is fully detailed in our records, which will be forwarded by the Honourable Company's ship Orwell, having been communicated to us by Mr. Smith, who, in conjunction with Captains I arkins, Patterson, and Adams, had been directed by us to be present.

22. Referring your Honourable Committee to these records, we shall refrain in the present despatch from entering more fully into the evidence, further than to state that, as expected, it was entirely fabricated for the occasion, and having been corroborated by the six seamen, and the friends of the deceased Chinese having satisfied the forms of justice, the Mandarins left the ship.

23. Thus has the Honourable Company's Trade been relieved from serious impending embarrassments, although we cannot, strictly speaking, justify the means adopted to bring about this favourable issue, we trust, with the knowledge we possessed of the Chinese officers of Government being willing to lend themselves to the deception, that we shall not incur the disapprobation of your Honourable Committee for countenancing an expedient which has thus speedily brought about a termination of the difficulties which threatened the Honourable Company's interest in this port.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 29th December 1820.

Par. 6. SHORTLY after the termination of the discussions respecting the death of the Chinese, it was intimated to us by Pinqua that it might be a very politic measure to expedite as much as possible the departure of the London and Duke of York. The force of this suggestion was immediately acknowledged, and it has since derived additional confirmation from a trifling occurrence a few days ago, which, however, has fortunately failed of the intended object.

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7. We are informed that a military graduate, recently returned from Peking, on hearing of the proceedings in the late case of homicide, conspired with three or four other men to reverse the proceedings, on the ground that the man who committed suicide was not the murderer; to effect this they sought out the aged father of the deceased Chinese, and instructed him to write out a declaration that he was not satisfied with the late proceedings. Whilst engaged in preparing this document, the Whampoa magistrate (the Pwan-yu-heen), suddenly came upon the party and seized them. He obtained from the old man an affirmation that he had been *excited* to write the statement in question, and taught how to word it; and upon a report being made to the Foo-yuen, he ordered that the parties implicated should be prosecuted with rigour, as excitors to litigation.

12. The late attempt to revive the proceedings, has, no doubt, originated in the hope of extorting money from the persons connected with the foreign trade. We trust, however, that as the attempt has met the decided reprobation of the Foo-yuen, no further molestation need be apprehended from any persons in this district; and both the ships, as also Mr. Pigott, will have been removed before any advices can be received from Peking on the subject.

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(18.)—COMPANY'S TRADE STOPPED BY THE CANTON GOVERNMENT, IN CONSEQUENCE OF SOME CHINESE BEING KILLED BY PART OF THE CREW OF HIS MAJESTY'S SHIP TOPAZE.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 2d January 1822.

Stoppage of  
Company's Trade.

Par. 2. IN the letter which we had the honour to address to the Honourable the Secret Committee on the 24th instant, by the packet of the Windsor (duplicate of which we now enclose), we stated the unpleasant occurrence which had taken place at Lintin between His Majesty's ship Topaze and the Chinese inhabitants of that island, and which has resulted in the death of two of the Chinese.

3. The particulars of the affair were communicated by a report from Mr. Hamilton, the first Lieutenant of the Topaze, to Captain Richardson, a copy of which was handed to us by the latter officer, with a letter from himself to us on the occasion. Copies of these letters were made numbers in the Windsor's packet, and we have now the honour to forward duplicates of them, together with copies of the most important documents which have passed on this occasion.

4. As soon as the Windsor was laden and ready for sea, we deemed it prudent to get her out of the river without delay. Considering it however important to have it in our power, if possible, to furnish the Honourable Court by her with information of the probable result of the unpleasant event which had occurred, we considered it advisable to detain her a few days at Lintin for that purpose, and she has accordingly remained at that anchorage, waiting our final despatch to England. As the lading of the Repulse and Farquharson has since been effected, and their grand chops have not been withheld,

we

we have it in contemplation to despatch the Windsor forthwith, and shall have the honour to forward by her the whole of the proceedings of the Lintin affair.

5. When in the early stage of the unpleasant affair at Lintin, we ascertained that the Honourable Company's concerns were likely to be involved in consequence, we were anxiously engaged in pointing out to the local government, through the medium of the Merchants, the injustice of implicating the Honourable Company's affairs in a transaction wherein His Majesty's ship alone had been engaged, in repeating what we had on so many occasions already stated, how totally unconnected we were with the King's ships, and how completely and positively they were beyond our authority and control; and that therefore we trusted we should be exempted from all embarrassment on this account.

6. We regretted to find all our endeavours in this mode unavailing, and as soon therefore as the suspension of our trade was officially announced to us, we considered it proper to address the Viceroy a temperate representation of the situation in which we were placed.

7. Your Honourable Court will perceive, by the Edict of the Viceroy issued in reply to our representation, that our appeal to him failed in producing the desired effect, and that his Excellency (who is at this time holding in himself *pro tempore* the seals of office of Viceroy, Fooyuen, and Hoppo) has unequivocally declared, that he holds the Honourable Company's representatives responsible for the affair at Lintin.

8. The tone and temper assumed by the Viceroy, and the footing on which he considers the affair, are fully manifested by his Edicts on the occasion, and we are concerned to say the trade continues suspended, nor is it in our power at this period to surmise what is likely to be the result of the very embarrassing situation in which we are placed.

9. We beg to assure your Honourable Court, that every possible exertion on our part shall be used to remove the difficulties in which we have been unfortunately placed.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 5th January 1822.

Par. 4. By the Windsor, we have now the honour to forward the whole of our proceedings thus far relative to the unpleasant occurrence at Lintin, whereby your Honourable Court will fully perceive the very embarrassing situation in which the Honourable Company's affairs and representatives have been placed on that account, and the pertinacity with which the Viceroy of Canton continues to hold them responsible for the transactions of his Majesty's ship.

5. We have been daily encouraging the hope, that the Viceroy might be induced to relax in his very unreasonable demands, and that he would besides have deputed an officer of Government to the Topaze, for the purpose of negotiating the existing difficulties with Captain Richardson himself, a measure, the propriety of which we have most earnestly pointed out to the Merchants, and one which your Honourable Court will perceive we suggested to the Viceroy, in our address to him of the 29th ultimo, and which we have again requested of him in our address of yesterday.

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6. Finding that all our efforts to extricate ourselves from our very embarrassing situation were vain, and as it is impossible to calculate on what conduct the Viceroy may not pursue in his present tone and temper, we considered the period had arrived when some actual steps should be taken on our part, which would manifest to the Chinese our determination to resist, by the best means in our power, the injustice of their demands.

7. We have, therefore, applied through the Merchants for the usual permission to embark the Honourable Company's treasure, and have fixed on Monday next, the 7th instant, for sending it down to the Honourable Company's ships at Whampoa, and boats from the several ships will accordingly be ordered up for the conveyance of the treasure on that day.

8. It is impossible to say what may be the effect of this measure, but should no advance from the Chinese towards an adjustment of the present difficulties arise from it, and affairs continue in their present posture, we shall at least have the satisfaction of placing the Honourable Company's property out of difficulty and danger, and, consequently, be less shackled should circumstances unfortunately compel us to resort to ulterior measures.

9. Not having heard from Captain Richardson, we are unaware of what his intentions are, and without some knowledge of them it is impossible for us to come to any fixed determination as to the line of conduct to be pursued. Your Honourable Court, however, may rely, that we shall not adopt any precipitate measures.

10. In consequence of the two Edicts of the Viceroy of the 31st ultimo and the 2d instant, we have considered it advisable to try the effect of another temperate address to him, and we shall feel exceedingly rejoiced if it produces any alteration in the Viceroy's present inflexible conduct; two or three days, however, may, in all probability, elapse before this can be ascertained.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 16th January 1822.

Par. 1. OUR last address to your Honourable Court was dated on the 5th instant, at which period we entertained hopes that our address to his Excellency the Viceroy of Canton of the 11th instant, might have brought about some arrangement that would lead to a termination of the unfortunate discussions in which we have been involved with the local authorities of this province, in consequence of the affair at Lintin.

2. It is with regret we have to observe, that his Excellency has remained unmoved by our representations, and instead of listening to our suggestions of deputing some officer of Government to confer with Captain Richardson, has persisted in his unjust demands, and evinced the most inflexible determination in all his Edicts, either to have the murderers (as he terms them) delivered up from the Topaze for trial and judgment, or to hold us individually responsible, should they be withheld any longer by Captain Richardson.

3. This threatening language of his Excellency the Viceroy, so undeviatingly persisted in and so often repeated, at length compelled us, for our more perfect security, to retire  
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to our ships; we accordingly, on the 11th instant, in the morning, proceeded with the whole Factory to the ships at Whampoa, having previously embarked the treasure, and delivered over the Factories and the property in them to the charge of the Merchants, into whose hands we at the same time placed a letter, which we had drawn up for the then officers of the Viceroy, Fooyuen and Hoppo, explanatory of the causes of our departure.

4. The decisive measure of the British Factory having retired from Canton, coupled with the temperate but firm language in which we explained our reasons for so doing to his Excellency the Viceroy, induced that Mandarin to reconsider the motives which had dictated his conduct towards us, and on the day following our departure, he directed the Merchants to proceed to Whampoa, and verbally assure us that the threat of our personal responsibility would no longer be insisted upon; but having great reason to discredit the assertions of the Merchants, we required them to bring us a written reply to our address to his Excellency the Viceroy of the 10th instant, before we could be induced to think of returning to Canton, or indeed to listen to any overtures.

5. On the 12th instant the Merchants again returned to us, bringing with them an Edict, addressed to them by the Viceroy, for our information, the purport of which was to remove the threat of personal responsibility from us, but still to hold it over the Company's trade, in the event of "the foreign murderers" from Captain Richardson's ship not being forthcoming for trial and judgment.

6. The tenor of this communication, written with the view to bring us back to Canton, but evincing in plain terms a determination to renew the discussion, and again to interdict the trade, was not sufficient to induce us to alter our resolution of proceeding down the river; we accordingly have arrived with the whole of the Honourable Company's ships at this anchorage; but before adopting further measures, we shall await the reply of the Viceroy to our letter of the 13th instant, in answer to his communication above alluded to.

7. We have reason to expect that this letter to his Excellency, when he sees the entire impossibility of our acting in the settlement of the Liutin affair, may have the effect of inducing him to depute some officer of Government to confer with Captain Richardson, and thus devise some method of accommodation. The Merchants left us on the 13th instant, intending by every means in their power to recommend this course of proceeding to his Excellency the Viceroy, and we are in great hopes that by this means the present unpleasant discussion may speedily be brought to a close, and that we may be enabled to resume our commercial transactions without risk of further impediment.

8. We feel it impossible to convey to your Honourable Court in the short compass of a letter all the reasoning and argument which has governed our conduct throughout this very arduous and important negotiation, we therefore respectfully beg to refer your Honourable Court to the detailed account of our proceedings, which we now forward per the Honourable Company's ship Windsor, from the period of their commencing (19th December last) to the present date; and from this "Statement" your Honourable Court will be enabled to form an accurate idea of the very embarrassing situation in which we have been placed.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 30th January 1822.

Par. 2. By the Honourable Company's ship Farquharson, which we do not deem it advisable to detain any longer in China, we now transmit a continuation of our proceedings up to the present date; and it is with sincere regret we have to inform your Honourable Court, that, so far from any termination of our discussions having been effected with the Canton Government, we have been reduced to the necessity of removing the Honourable Company's ships through the Bocca Tigris, as the Viceroy has apparently placed such an insuperable bar to all hope of accommodation, by exacting conditions which it is utterly impossible for us to perform.

3. So far from the Viceroy's acquiescing in the request we made to him, of deputing some authorised officer of Government to confer with Captain Richardson, we had the mortification to receive from that Mandarin a repetition of his unjust demands, expressed in the most unequivocal terms, in his Edict to the Hong Merchants for our information, under date the 16th January.

4. The Hong Merchants, when they delivered this document into our hands, expressed their regret at the unfavourable terms in which it was couched; but they assured us, that although the Viceroy was compelled in his official papers to persist in his demands, he was in reality desirous to avail himself of any opening by which he could, with the appearance of propriety, adjust the present embarrassing discussion; and with this view the Hong Merchants suggested to us the expediency of using our influence with Captain Richardson, to persuade him, in compliance with the allusion made in the latter part of the Viceroy's Edict of the 16th instant, to address us, signifying his inability to settle the Lintin affair; but that he would, on his return to England, report it to his Sovereign, when it would be prosecuted according to law.

5. Although former, and indeed daily experience, has taught us that no reliance is to be placed in the assertions of the Merchants; and although we had in the outset of the present discussion most positively declared that we could not interfere between Captain Richardson and the Chinese authorities in an affair so peculiarly their own, we were induced, in consideration of the vast importance attending an adjustment of the Lintin affair, to credit the assertions of the Merchants, and to depart from the ground we had originally taken, by consenting, in compliance with their suggestions, to address Captain Richardson, stating their proposition, and leaving it to his judgment to acquiesce in it or not.

6. Captain Richardson, willing to avail himself of any opening by which he could, consistently with his duty, bring about a renewal of the suspended commerce of the Company, consented to comply with the suggestion of the Hong Merchants, and wrote us a letter founded thereon, which we lost no time in incorporating in a letter to the Hong Merchants, and delivered into their hands.

7. The Hong Merchants wished us to address this letter to the Viceroy; but to this we could not consent, as that Mandarin had placed our correspondence under such restrictions, by his Edict of the 16th instant, that any address to him would be quite un-  
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availing. At the entreaty, however, of the Merchants, received again from them after their return to Canton, we conceded that point, in order that no impediment might stand in the way of the proposed mode of adjustment, and addressed the Viceroy on the 20th instant, enclosing Captain Richardson's statement.

8. The intervention of the Chinese new year on the 23d instant, prevented our receiving any official communication in reply to our address to the Viceroy for several days; but on the 25th instant, the Merchants again came down to the second bar, bringing with them an Edict to their address from the Viceroy, under date the 22d instant, which purported to be an answer to our last address to that Mandarin, the tenor of which, while it clearly proved the falsity of the Merchants' suggestions, was nothing more than a reiteration of the unjust demands of the Viceroy.

9. Under such circumstances, and considering it but too evident from the general tenor of his Edict, that the Viceroy was decidedly averse to any sort of accommodation of the existing difficulties, we determined, conformably with our resolution drawn up on the 7th instant, to adopt the determination then contemplated of removing our ships through the Bocca Tigris; and accordingly we proceeded with the whole of the Company's ships through that passage without molestation, and reached this anchorage the evening of the 25th instant.

10. We beg to assure your Honourable Court, that we are fully sensible of the responsibility we have incurred in adopting the decisive measure of moving the Honourable Company's ships through the Bocca Tigris; but we were prepared, if necessary, to take this responsibility upon ourselves, from a conviction, after the fruitless termination of every other possible expedient, that this step was far more likely to convince the Chinese Government of the firmness of our intentions, and, consequently, infinitely better calculated to bring about an accommodation, if they were really desirous of preserving our commerce, than the measure of our remaining inactive and undecided at the second bar.

11. Under this conviction we have removed the Honourable Company's ships to this anchorage; and, we trust, this more decisive measure may induce the Viceroy at last to relax in his unjust and unreasonable demands; should this measure not produce such a result, it will then remain for our deliberate and serious consideration what further measures to adopt in our present most embarrassing situation.

12. Although the inconvenience attending the entire suspension of this valuable commerce must be very considerable during the interval that must elapse before a reference to higher authorities can adjust the existing embarrassments, we conceive that our footing in this country must be greatly ameliorated by such reference, and the permanent interests of the Honourable Company and the British nation far better secured, while, at the same time, the heavy responsibility incurred by the Viceroy will, in its consequences, be the means of deterring his successors from that indiscriminate use of the suspension of our commerce, so frequently and unjustly employed by this Government as a means to obtain their wishes on almost every occasion.

13. Under such a view of our present very embarrassing situation, we have not scrupled to act up fully to the principles laid down, when we adopted the resolution of quitting Canton on the 11th instant; and, in order that our measures should appear firm and consistent in the eyes of the Chinese, we made arrangements the day following our arrival

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at this anchorage for filling up the cargo of the *Kent*, by transshipping the Congo Teas into that ship from the *Charles Grant*, *Waterloo* and *Bridgewater*; and we also made the necessary preparations for removing the cotton imported to our consignment per country ship *Susan*, into our own ships at this anchorage.

14. While these arrangements have been going on, we received intelligence through private channels from Canton, that the sensation produced there by the departure of the Honourable Company's ships outside the *Bocca Tigris* was very considerable, and that we might shortly expect to receive some further proposition from the Chinese government.

15. On the 29th instant, the Merchants, accompanied by the elder Chunqua, came on board the *Waterloo*, we regret to say, without official authority to confer with us from the Government, but merely with the view of making some proposition to us, which, in their opinion, might speedily terminate the present discussion.

16. We have already stated to your Honourable Court how little the assertions and suggestions of the Merchants are to be relied upon. We considered it our duty, however, to attend patiently to any proposition they had to make, and, if possible, to comply with it. Their proposal now was that we should persuade Captain Richardson to assert that two seamen had absconded from the *Topaze*, an assertion which, in their opinion, the Government would readily avail themselves of to adjust the dispute, by charging these two men with the guilt in the *Lintin* affair.

17. Such a proposition, it is needless to state to your Honourable Court, was instantly repelled as inadmissible, inasmuch as the assertion must come from Captain Richardson; and we felt convinced that officer would never acquiesce in making one which would not only be devoid of truth, but would also be an equivocal admission of culpability.

18. We then applied to the Merchants to know if they would be the bearers of a letter from Captain Richardson to the Viceroy, and upon their assenting to the proposition, we informed them that we had no doubt but that he would gladly avail himself of that opportunity to recapitulate the facts attending the *Lintin* affair, in which he would satisfactorily remove from the mind of the Government a false impression that had gone abroad respecting that unfortunate affair having been repeated a second day; and we assured the Merchants, that had the Viceroy, in the first instance, condescended to receive Captain Richardson's statements, and given them that credit they were entitled to, such an impression never could have existed. We further stated, that on their taking charge of a letter from Captain Richardson to the Viceroy, they must promise us they would deliver it unopened to that Mandarin.

19. The Merchants stated that it was currently believed the seamen of the *Topaze* went on shore a second day, and committed acts of violence upon the natives in cool blood; but if this could be disproved the affair might be satisfactorily terminated, for the Chinese law made a great distinction in such cases: they therefore consented to take a letter from Captain Richardson, and deliver it unopened to the Viceroy, provided we could assure them it contained an explanation of this important fact.

20. We of course had no hesitation in giving this assurance, and Captain Richardson has drawn up a letter this day to the desired effect, with which the Merchants have departed for Canton; and they seem to think it probable that the Viceroy, on the strength of it, will depute an officer of Government on board the frigate to confer with Captain Richardson

Richardson on this point, and that the business will be finally arranged to our satisfaction, and the renewal of the Company's commerce follow as a matter of course.

21. We have thus briefly recapitulated to your Honourable Court the state of our discussions with the Canton Government, from the period of the sailing of the Windsor to the present date; a more trying and anxious period, we will venture to assert, was never experienced, but we have great satisfaction in reflecting that throughout this embarrassing negotiation, while we have steadily resisted every unjust demand, we have uniformly availed ourselves of every suggestion tending to restore the suspended commerce of the Honourable Company which we could adopt with a due regard to the principles of truth, consistency and honour.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 7th February 1822.

Par. 3. In our last Despatch we stated to your Honourable Court that the Merchants had consented to deliver a letter from Captain Richardson to the Viceroy, recapitulating the facts attending the Lintin affair, and explaining away the erroneous impression entertained by the Chinese of a second day's conflict having occurred on that unfortunate occasion.

4. This explanation, it was presumed, might afford the Viceroy the means of adjusting the present very embarrassing discussions, and the Merchants left us on the 29th ultimo, very sanguine in their expectations of the success of this expedient.

5. On the second instant we had the satisfaction to hear that the Merchants, together with two Mandarins, the Pan-Yu, and the Tung-kwan (or Chunpee) Magistrate, were on their way to Chunpee, the two latter having been deputed by the Viceroy to proceed on board the Topaze, and confer with Captain Richardson on the Lintin affair.

6. On the 3d instant, these two Mandarins repaired on board the frigate, and received from Captain Richardson a statement of the occurrences at Lintin on the 16th December last, and having examined some of the seamen who were wounded on that occasion, they returned to Canton to make their report on the same to the Viceroy.

7. We shall sincerely rejoice if this official mission, so long and earnestly requested by us, may prove beneficial in its results, and be availed of by the Viceroy as a means of terminating at once the difficulties under which the Honourable Company's trade is at present labouring.

8. From the conversation, however, which took place between the Merchants and ourselves, on the morning the Mandarins visited the Topaze, we can hardly venture to conjecture whether such will or will not be the result.

9. It appears from the communication of the Merchants, that although the Mandarins deputed to inquire into the Lintin affair would cheerfully report Captain Richardson's statement of it to the Viceroy, the Chinese laws could never admit the plea of self-defence as justifiable; that, therefore, the Viceroy would still be imperatively called upon to persist in demanding the surrender of the seamen, so long as the Topaze remained in China.

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10. If this be true it is not easy to see in what manner the visit of the Chinese Magistrates can tend to a final adjustment of the present differences. That deputation may have been ordered by the Viceroy in order to relieve himself from the responsibility of never having instituted an inquiry into the affair, or it may have arisen from a desire to have official grounds on which to frame a report to the Emperor, suited to the view which the Viceroy may choose to take of the subject.

11. We yesterday received a letter from Captain Richardson, notifying his intention of proceeding to sea to-morrow. It is impossible for us to conjecture what effect the departure of the frigate from China may have in the present stage of our embarrassing situation.

12. The immediate sailing of His Majesty's ship being now officially understood by us, it only remains for us to discover whether this measure may be productive of beneficial or ill consequences in our present discussions; and we shall be happy if they prove to be such as are likely to bring about a favourable adjustment of our difficulties.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 23d February 1822.

Par. 2. WE have now the pleasure of despatching the Kent with a continuation of our proceedings up to the present period; and it affords us no small gratification to be at length enabled to convey to your Honourable Court the satisfactory intelligence of the final termination of the embarrassing discussion in which we have been involved with the local authorities at Canton.

3. In our despatch by the Repulse, we stated to your Honourable Court that two Mandarins had been deputed to visit His Majesty's ship *Topaze*, and had received from Captain Richardson his statement of the Liutin affair; it was further stated in that despatch, that although the Mandarins would cheerfully report Captain Richardson's statement to the Viceroy, the Chinese laws could never admit the plea of self-defence as justifiable; and that therefore the Viceroy would still be imperatively called upon to persist in demanding the surrender of the seamen so long as the *Topaze* remained in China.

4. Captain Richardson having allowed a reasonable time to elapse, and having received no communication from Government in reply to his statement, determined to proceed to sea, and conformably with this decision sailed finally from China on the 8th instant.

5. Immediately on the frigate's departure we addressed a letter to the Merchants, announcing that event for the information of Government; and we entertained hopes, that as all adjustment seemed to depend upon her movements, this circumstance would speedily bring about a termination of our difficulties.

6. No notice however was taken of our communication until the 13th instant, when the Merchants visited us at Chunpee, making a variety of propositions to us, which, being perfectly inadmissible, we rejected.

7. It appears that the departure of His Majesty's ship *Topaze* had not entirely removed the difficulties under which the Viceroy was placed with regard to adjustment, and that some further representation would be required from us in order to facilitate this object.

8. The propositions and expedients submitted to us by the Merchants being quite inadmissible, and it appearing indispensable that we should make some communication to them, we consented to address a letter to them, in which we quoted the words made use of by Captain Richardson in two of his letters, wherein he stated it to be his intention (now that the Officers of Government had fully inquired into the *Lintin* affair), to proceed to sea, and that affair being one beyond his management, it would be represented to His Majesty's Government, and investigated according to the laws of the land.

9. The Merchants left us apparently satisfied with the efficacy of this letter; but on the 17th instant they again returned, entreating us to address a copy of our letter of the 13th instant to the Viceroy, *Fooyuen*, and *Hoppo*, with a few alterations in the phraseology, and requesting the insertion of a clause, promising that your Honourable Court would represent the *Lintin* affair to His Britannic Majesty for investigation.

10. To this latter request however we objected, it being one that we did not conceive ourselves justified in literally assenting to, as we might be laying ourselves open to a renewal of this embarrassing discussion at a future period, when the Chinese Government might require an answer from us upon the subject.

11. Although we did not consider ourselves justified in adding the clause proposed, such importance was attached to the addition of something in our address that would serve to satisfy the Government, that we conceived we might in general terms state, that though the *Lintin* affair, like all others involving the Company's Trade, would be fully detailed to your Honourable Court, and that Captain Richardson having already assured the Viceroy it would be referred to His Majesty's Government, it was unnecessary for us to repeat it to them through your Honourable Court. We further added, that as the *Topaze* was now gone away, it was impossible for us to give any further explanation to Government upon this subject, but that if the Viceroy would remove the suspension of the Honourable Company's Trade we should be willing to return to Canton, and resume our commercial intercourse.

12. The Merchants left us perfectly satisfied with the alteration made in our letter, which was now shaped in an address to the Viceroy, *Fooyuen*, and *Hoppo*; and we had the satisfaction, on the 22d instant, to receive an Edict from Government, re-opening the Honourable Company's Trade, and inviting our return to Canton.

13. For a more detailed account of the conduct pursued by us in this embarrassing affair, we must again refer your Honourable Court to the continuation of our proceedings, which are now forwarded per *Kent*.

14. We forbear making any comments upon the Edict which has been issued, removing the suspension of the Honourable Company's Trade, further than to observe to your Honourable Court, that the Canton Government, finding all the modes ineffectual, have resorted to the expedient proposed on the 17th January last as a mode of concluding the negotiation on the *Lintin* affair. Your Honourable Court will also perceive, that by the Edict now issued through the *Pan-yen* and *Tung-Kwang* magistrates, who were deputed

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deputed to inquire into the Lintin affair on board the frigate on the 3d instant, the Viceroy appears to have imposed a share of responsibility upon those Mandarins on its final arrangement.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th April 1822.

Par. 70. Your Honourable Court will perceive on these records, under the date noted in the margin,\* that the Viceroy of Canton has transmitted a paper to us, containing the grossest misrepresentation of the facts relating to the Lintin affair, wherein we are stated as having given assurances to the government of the return of the accused seamen of His Majesty's ship *Topaze*, and are required, through the medium of your Honourable Court, to convey insulting messages to His Britannic Majesty upon the subject.

71. This paper, we were assured by the merchants, was of no real importance, but was sent us merely as a matter of form by the Viceroy; it appeared however very evident, that our silently receiving such a document, and suffering it to pass unnoticed, would hereafter be construed into an admission of its justice, which in the event of any revival of the discussion would place us in a very embarrassing dilemma.

72. We determined, therefore, to return the paper to the merchants from whom we had received it, desiring them to inform the Viceroy, that having already assured him all the proceedings relative to the Lintin affair would be faithfully reported to your Honourable Court, and Captain Richardson having also stated that this affair would be represented to His Majesty's Ministers, any further requisition from us seemed quite unnecessary; but that with regard to our communicating the present paper through your Honourable Court to His Britannic Majesty, it was so complete a perversion of facts, and of such an insulting tendency, that it was quite impossible for us to transmit it. We therefore declined receiving it; but we added, that if the Viceroy wished to address His Majesty's Ministers direct on this subject, we would not fail to forward his letter.

73. The merchants communicated our decision to the Viceroy, and returned the paper he had sent us; and we are informed he expressed great displeasure at our refusing to receive it; but no further measures having been adopted, we are disposed to believe it will not again be pressed upon us.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton, to the Court of Directors, dated 18th April 1822.

Par. 4. Your Honourable Court will perceive in our Public Consultations,† that another attempt has been made by the merchants to induce us to receive and forward to your

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\* Public Consultations, March 21, 1822.

† Public Consultations, April 12.

your Honourable Court the paper transmitted to us by the Viceroy of Canton on the 19th ultimo, the subject of which has been fully explained in our letter by the Scaleby Castle; it is scarcely necessary to state, that this attempt like the others was steadily resisted by us, and we are disposed to believe it will not be again renewed.

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(E.)  
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Stoppage of  
Company's Trade.  
Death of a Chinese.

LETTER in the Public Department, from Secretary W. H. C. PLOWDEN to Joseph Dart, Esq., Secretary, &c., East-India House.

Sir :

Par. 1. THE departure of the American ship Zephyr, bound to the United States of America, affords an opportunity for the transmission of the enclosed Imperial reply to the Viceroy's report to Peking on the subject of the Lintin affair, which has been recently obtained by the President through a private channel from Canton.

2. The President and Select Committee, in their address to the Honourable Court of Directors on the 26th ultimo, forwarded by the American ship Levant, noticed the arrival of this document at Canton, but they were unable at that period to procure a copy of it for the information of the Honourable Court.

3. It is at present impossible to say what further inquiries the Chinese government may institute on this affair, when a sufficient period shall have elapsed for an answer to be received from England on the subject; but the tenor of the document is of a nature to induce the apprehension of a renewal of the discussion; and it will be observed, that by the Imperial decision the chief of the Factory is in future to be held responsible for the acts of his Majesty's naval officers.

I have the honour to be, Sir, your most obedient servant,

(Signed)

W. H. C. PLOWDEN,

Macao, May 7th, 1822.

Secretary.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 30th May 1822.

Par. 1. ON the 7th instant our Secretary transmitted to Mr. Secretary Dart, for the information of your Honourable Court, the copy of the Imperial decision on the subject of the Lintin affair, which had been privately obtained from Canton.

2. By the departure of an American vessel, now sailing for the United States, we avail ourselves of the opportunity of addressing your Honourable Court for the purpose of transmitting the official communication to us of this decree, which was received yesterday from Canton through the Hong merchants. We also think it our duty without delay to draw the particular attention of your Honourable Court to this important document, not only with reference to its bearings upon the Lintin discussion, but its operation in any similar occurrence.

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3. A review of the whole of our proceedings\* during this discussion, the falsified representations of the local government to Peking in February last (to which our assent was subsequently required, but withheld), and the present result of the Viceroy's report to the Emperor, will clearly explain to your Honourable Court the embarrassing situation we may be placed in should the requisitions of government be followed up, and what is now expected from us on any future and similar case.

4. Your Honourable Court will perceive that the two great points attempted to be maintained by us during the recent discussion, viz. that "self-defence was universally considered a justification of homicide," and that "the representatives of the Honourable Company could not justly be responsible for the acts of His Majesty's naval officers," are now not acknowledged. And we beg to inform your Honourable Court that the Imperial reply has appeared in the Peking Gazette, where it is published to the empire as "the last declaration of the laws of China concerning homicides committed by foreigners in this country."

5. It is unnecessary for us to offer any further comment upon this subject, for with all the documents relating to it in your possession, your Honourable Court will be fully competent to judge of its present and future effects. But when we reflect upon the power with which the local authorities at Canton are now invested by this last promulgation of the law, and the fatal termination of the American homicide in October last, we can hardly flatter ourselves, in the event of any future accidents, that that line of cautious policy towards foreigners will be observed, which has hitherto characterized the Chinese in their discussions with us upon affairs of this nature.

6. Since the decision of Government has now been officially communicated to us through the Hong Merchants, we do not conceive that we can with propriety allow it to pass unobserved. We therefore beg to acquaint your Honourable Court, that we have come to the determination of addressing the Fooyuen, (who is at present holding the seals of office of the absent Viceroy), protesting against the justness of the present requisitions of the Chinese Government on the subject of homicides, and expressly disavowing the truth of the assertions of the late Viceroy respecting our promise of producing the men of His Majesty's ship *Topaze* for punishment.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 15th July 1822.

Par. 9. In our last address to your Honourable Court, dated the 30th May (duplicate of which accompanies our present despatch), we transmitted for your information the official communication of the Imperial decision on the Lintin affair, which we had received on the 29th of that month, through the Hong Merchants from Canton.

10. In

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\* Public Consultations, 1822, March 19, 21, 22, 28 and 30; April 12.

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10. In the 6th Paragraph of that Letter, we stated to your Honourable Court that it was our intention to address the Fooyuen of Canton (who was acting for the Viceroy during his absence), protesting against the justness of the requisitions of the Chinese Government on the subject of homicides; and by a re-statement of the real facts that occurred during the Lintin discussion, expressly disavowing the truth of the Viceroy's assertions respecting our promises, in his report on that affair to Pekin.

11. Conformably with this determination, we drew up the Enclosure, No. 2, which was transmitted to Canton by Mr. Robarts and Sir William Fraser, and delivered through the Merchants to the Fooyuen on the 9th ultimo; on the following 17th we received in reply the Enclosure, No. 3, from Canton, wherein the Fooyuen, so far from admitting the justice of our reasoning, appears to insist upon the principle of our being responsible for the acts of His Majesty's ships, and requires implicit obedience to the commands of the Emperor of Chinaa, and we have reason to believe that such are the actual expectations of the Chinese Government from the interest that has since been taken (through the Hong Merchants) to impress their necessity upon us.

12. The local government having been made acquainted with our sentiments by the enclosed "Re-statement of facts," we have not deemed it necessary to return any reply to the Edict of the Fooyuen, received on the 17th ultimo, and since that period all communication on the subject of the Lintin affair has ceased. It is impossible for us to say what further measures the Chinese Government may think proper to adopt; but we beg to state to your Honourable Court, that we conceive the tenour of the enclosed documents are of a nature to induce the apprehension of a renewal of this unpleasant discussion, when a sufficient time shall have elapsed for an answer to be received on this subject from England; and this opinion may derive some weight from the circumstance of the immediate return of the Viceroy, Yuen-tajin, who, it is said, is now on his way to Canton, having received the Imperial instructions to this effect while on his journey to Pekin.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 27th March 1823.

Par. 3. THE Viceroy intimated to the President, through the Hong Merchants, that he looked forward to the arrival of the next ships from England for the return of those persons responsible for the death of Chinese subjects during the disturbance at Lin-Tin; and likewise that neglect on the part of the Merchants to procure satisfaction would be attended with serious consequences. It appears that a petition from an inhabitant of Lin-Tin to the Imperial Court has been transmitted to the Viceroy, who, in his justification, has asserted that the period for the return of the criminals from England has not arrived, but that he would not neglect his duty at the proper season, in consequence of which he has resumed the communication of the subject to the Hong Merchants.

LETTER



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LETTER in the Public Department, from Secretary J. N. DANIELL to Joseph Dart, Esq., Secretary, East-India House.

Sir :

Par. 1. I AM directed by the President and Select Committee to acquaint you, for the information of the Honourable Court, that the suspension of commercial proceedings imposed by the Chinese Government is at length removed, by an Edict received from the Hoppo on 23d ultimo, immediately subsequent to which orders were issued to the Commanders of the Honourable Company's ships to proceed from their anchorage in the neighbourhood of Macao to Whampoa, where they have all arrived, with the exception of the Honourable Company's ships Windsor and Hythe, both of which ships may be expected in the course of the present month.

2. In compliance with the tenour of the instructions of the Honourable Court, orders were given to the commander of the Honourable Company's ship Bombay on her arrival to proceed to Whampoa as usual. Shortly after which event, an Edict was issued by the Viceroy, requiring the delivery of the two murderers, whom he had notified to the Emperor were to be expected in the ships of the present season.

3. A reply was immediately delivered to the Hong Merchants, who were the bearers, of the Viceroy's communication, that no individuals were to be ceded to the requisition of the Viceroy; and that the ill-health of Captain Richardson, by detaining him at the Cape of Good Hope, had prevented the occurrence of an investigation; that this was the only communication made by His Majesty's Ministers to the Court of Directors; but that any further advices on the subject should of course be made known to the Government upon their receipt by us.

4. After considerable discussion, which will be fully detailed upon the departure of the Honourable Company's ship Bombay from hence at as early a period as possible, the Edict above alluded to was received from the Hoppo, setting forth, in explicit terms, that no stoppage of the trade should recur after the arrival of the Honourable Company's ships at Whampoa, although a continuation of correspondence on the subject in question will probably occur.

The Factory will proceed to Canton on the 10th instant, and every exertion used for the early despatch of the Honourable Company's ships.

I have the honour to be, Sir, your obedient servant,

(Signed)

J. N. DANIELL.

Secretary.

Macao, 9th October 1823.

EXTRACT

**EXTRACT LETTER** to the Secret Commercial Committee of the Court of Directors, from the SELECT COMMITTEE at Canton, dated 20th November 1823.

Par. 2. IN accordance with the instructions of your Honourable Committee,\* we permitted the Honourable Company's ship Bombay to proceed to Whampoa under the usual orders; but shortly after her arrival there, upon the application of Captain Hine to land his private trade, permission was refused, and the Hong Merchants proceeded to Macao, bearing a letter from the Viceroy, demanding the cession of the "two murderers."

3. This demand we of course informed them could not be complied with;† and we considered it the most advisable and conciliatory tone for adoption, to address the Viceroy, informing him that the non-arrival of Captain Richardson in England had prevented an investigation by the proper authorities; but that whenever we received a reply expressive of the result of such examination, we should not fail to make it known immediately to his Excellency.

4. The Viceroy, on the delivery of our reply,‡ expressed himself in a very impassioned manner, threatening the Hong Merchants with punishment, and returned our letter. This at once placed a bar to all communications, and the request of the Hong Merchants, that we should so alter its purport as to pass in silence the accusations implied against the party from the frigate, and thus receive the responsibility which the incorrect statement of the Viceroy had attached to him, was deemed inadmissible.

5. Our determination§ to adhere to the only grounds which could eventually exonerate us, although attended with an immediate disadvantage, placed the Hong Merchants in so precarious a situation with respect to the Viceroy, that they expressed to us their determination of acquainting him they could no longer conduct the foreign trade under a responsibility for actions over which they could exercise no controul.

6. Upon the declared resumption of offensive proceedings on the part of the Chinese Government, it became our object to place all the impediments in our power to their receipt of the pecuniary advantages attending the foreign commerce, as by occasioning a reciprocal sensation of the injury attending an embargo on our shipping, we were most likely to produce a speedy termination to it.

7. Acting upon this motive, we resolved|| to prevent any British vessel from entering the river; and issued orders to the commanders of the Honourable Company's ships to choose an anchorage in the neighbourhood of Lintin, but upon no account to permit any communication with that island.

8. The period at which the Hoppo was desirous of ascertaining the duties upon the foreign trade was fast approaching,¶ and rendered him anxious for some opportunity of inducing the ships to enter the river, without compromising the Government as to their future operations, but having failed in so doing, and the Viceroy being sensible of the inconvenience attending the line of conduct we had preserved, and the little probability

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\* From the Secret Commercial Committee, April 16, 1825

† Statement, August 16, 17.

‡ Statement, August 24.

§ Statement, August 29.

|| Statement, Aug. 18.

¶ Statement, Sept. 17.

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probability of a successful issue to his requisition, at length consented to permit the Hoppo to publish an Edict, disavowing their intention of placing any further embargo on the shipping now arrived, and inviting a resumption of commercial proceedings.\*

9. After the receipt of such a document,\* we immediately gave orders to the Commanders to proceed to Whampoa, and in a few days obtained a chop for the Factory to embark.

10. On our arrival at Canton, we found every thing had resumed its usual course, and the late subject of discussion apparently forgotten. The Merchants who had solemnly taken leave of us on foregoing any further commercial intercourse with the Honourable Company, were ready to congratulate us on what they termed the complete success of our negociation, and asserted that the affair was virtually terminated. Although it may be mentioned in the ensuing season, every successive notice will be weaker and weaker.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 16th November 1826.

Par. 6. SUBSEQUENTLY to this resolution which we had adopted, to leave unanswered the inquiries which the Viceroy had directed the Merchants to institute, they continued to express to us their great anxiety on the subject, and we accordingly deemed it advisable to communicate our opinions distinctly to the Senior Merchants on the occasion. We informed them, that as the transactions to which the Viceroy's Proclamation had reference had been referred to the British Government, and received their decision, they formed no longer a subject in which we had the ability to interfere. We deemed it right to acquaint them that a letter was now in our possession from the British Minister, to whom all transactions connected with the Lintin discussion had been referred, addressed to the Viceroy of Canton: and we acquainted them with the general tenor of Mr. Wynn's letter, dated 6th April 1824. We informed them that we had abstained from delivering this letter, from concluding that the discussion had been finally closed, but that if re-opened, our only course left to pursue would be to present the letter to the Viceroy. The Merchants expressed great alarm at this proposition, and entreated that such an intention might not for a moment be entertained. We endeavoured strongly to impress upon their minds that the letter from the President of the Board of Control explicitly declared that it was a question which could only be adjusted by the respective Governments of the two countries, and was no longer one in which we had the power to interfere. The Merchants had recourse to a variety of propositions, such as Chinese sophistry could alone suggest or attempt to justify. They stated that as it was a question involving Chinese prejudices and feelings, it was but just that it should be decided on Chinese principles, and that all that was required was an admission that punishment had been inflicted on those who had violated the laws of this country; that it was now immaterial whether that punishment had been inflicted or

or not, provided it was stated to have been. On such a course being declared inadmissible, they said we must be aware that among the numbers of which a ship's company was composed, some must have died on the homeward-voyage, and that we could find no difficulty in stating that such had actually been the case. This proposition was evidently made with the intention of making it appear that the deaths had been the consequence of criminal conduct. When we expressed to the Merchants our determination to have recourse to no such expedients, they proposed that we should state, that no final answer had as yet been received from England; that this would at all events gain time, and keep off for the present any further agitation of the question. These, and many other similar evasions were proposed by them, but on finding that we remained resolute in refusing to countenance any assertion whatever inconsistent with our knowledge of the facts, they expressed their apprehensions that embarrassments might arise were means not derived to satisfy the officers of Government. In this situation, therefore, the question remains, and we can only repeat to your Honourable Court our conviction, that it is not the intention of the Canton authorities to awaken serious or embarrassing discussions. At the same time, the experience of past years powerfully demonstrates that the measures to be adopted by a Government so little under the influence of public principle can never with any confidence be relied on.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 5th March 1827.

Par. 2. We have lately been informed by Pinqua, who, in stating it to the President, requested it might be considered as a most confidential communication, that a memorial, signed by himself and Mowqua, had been privately presented to the Viceroy, containing an accurate statement of the facts of the case, that no punishment had by the British Government been awarded to those, who, by the Chinese laws, had been pronounced to be guilty, and that any further power of interference with the question had been withdrawn from our hands, and that nothing but embarrassments could be the result of renewed discussion. We are now confidently assured, that no attention has been paid by the Viceroy to renewed petitions from the natives of Lintin, and that it is not his intention to re-open the question, being sensible that neither credit nor advantage can arise from it.

3. We have felt it our duty to place your Honourable Committee in possession of a knowledge of this circumstance, which is satisfactory, as being the probable conclusion of a tediously protracted and anxious discussion, while it exhibits a striking instance of the Government of this country (in a question involving its public honour), having submitted to be influenced by private information, and having been induced to relinquish those proud pretensions to unconditional submission, which it had previously so imperiously assumed.

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Redress of  
Grievances, &c.

Attempts of  
Chinese to extort  
Money.

(19.)—RESPECTING AN ATTEMPT OF SOME CHINESE TO EXTORT MONEY.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 12th January 1823.

Par. 2. We regret to have to state to your Honourable Court an attempt of a very injurious tendency, to extort money from the Commander of the Honourable Company's ship Earl of Balcarras, under the pretext of the death of a Chinese having been occasioned by a blow from a piece of wood, thrown by some person on board that ship; but which affair was fortunately brought to a conclusion by the free confession of the father of the deceased, that his son died from disease; and it was moreover discovered, that some scratches, inflicted on the head of the dying man, were done by a piece of chinaware, as evidence of the wounds they proposed to assert he had received.

3. It appeared by the evidence of Captains Cameron and Drummond, who was a witness of the transaction on the morning of the 6th instant, that two men brought a third in the last stage of disease, and continued for some time alongside the Earl of Balcarras, in defiance of repeated orders to depart; at length, a midshipman threw a piece of wood of about three inches in length, which fell on the cover of the boat and then into the water, without touching any person. The men, apparently considering their object attained, picked up the piece of wood, rowed round the ship, and placed an almost lifeless body into the Compradore's boat astern, demanding money as a compensation for imputed injury. The Assistant Surgeon of the Earl of Balcarras, upon inspecting the body, found the nose and the palate of the mouth were destroyed by disease; and that the man was on the point of death, without the appearance of any wounds that could have hastened it.

4. After some discussion with the two men, they left the ship and brought a third to aid their demands, whom they denominated a soldier; in conjunction with this person, they required 3,000 dollars, but said that the father of the invalid would shortly arrive, with whom they could arrange; previous to which the sick man died; and on the arrival of the father, Captain Cameron placed them all in custody, and proceeded to Canton in company with Captain Drummond, to report the circumstances to us. The line of conduct adopted by Captain Cameron, in securing the persons of the Chinese, gave great satisfaction to the Merchants, as they expressed, when the report was made to them.

5. We stated the case early in the following morning in an address to the Viceroy, but as he was then quitting Canton, he transferred its investigation to the Fooyuen. On the 7th the Quangchoo Foo went to the Second Bar, to examine the Chinese in custody, when the father immediately acknowledged that his son had died from the effect of disease, and unharmed by any blow from on board the Earl of Balcarras. The men engaged in this deception were brought up to Canton, and we have not as yet received intelligence of the punishment they are likely to undergo.

6. Events of this kind have not been uncommon amongst the American and country ships

ships during the present season. The Chinese assault either the ships or their boats, and when they meet with return demand large sums of money for wounds, by working on their timidity to offend the recent Imperial Edict on the subject of the liability of foreigners to suffer death, even though the hazard of their own lives require their defence; the success their extortions have occasionally met with invites the return of new assaults.

7. That all ranks of Chinese are sensible of our situation in this respect, is too clearly evinced by the perpetrating of such dangerous impositions by many in a very low class of life; and the reward that success in their demands sometimes affords is a sufficient inducement to attempt it, without any consideration as to the result occasioning consequences the most prejudicial to the commerce, and even to the lives of foreigners. It must be a matter of great satisfaction, that in this case the voluntary confession of the deceased's father, and the non-appearance of a serious wound, have placed insuperable impediments to hostile proceedings on the part of the officers of Government.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 31st January 1823.

Par. 3. We have from time to time made inquiries on the subject of the punishment to be inflicted on those persons concerned in the attempt to extort money, under the pretence of murder, from the Honourable Company's ship Earl of Balcarras, and the present state of the case appears to be, that there is no defined law against the crime, and that the Fooyuen is awaiting the return of the Viceroy before proceeding to judgment.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 19th March 1825.

Par. 53. We regret to inform your Honourable Court, that notwithstanding our earnest representations to the Hong Merchants of the evil consequences that must accrue, as well to themselves as to the Company, if means could not be found of severely punishing the persons here alluded to by way of example, the Merchants were unable or unwilling to compass this point.

54. The truth of our statement on the subject, we understand, was fully admitted, and the Merchants reported, that the Government was perfectly satisfied with the steps we took to exhibit the guilt of the offenders. The only punishment inflicted on this occasion, was that of exposing one of the offenders in the streets with the cangue placed upon his neck; and the only reason assigned for the trifling nature of the punishment inflicted was, that the criminals were not considered guilty of a crime of any magnitude, as they had not absolutely received money from the persons whom they were endeavouring to injure and deceive.

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(20.) --RESPECTING THE CONDUCT OF THE CHINESE CUSTOM-HOUSE PEOPLE  
AT MACAO.

Conduct of  
the Custom-House  
People at Macao.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 16th November 1827.

Par. 47. On our Public Consultations under date the 7th and 12th of June, will be found an account of an outrage committed by the people belonging to the Macao Custom-house, at all times a most offensive establishment, upon a boat belonging to a member of this Factory, which, on our representing the affair to the Iso-tong, we were informed was redressed.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 18th November 1828.

Par. 68. The aggressions of the people attached to the Macao Custom-house upon the Praza Grande, have been long a subject of vexatious annoyance to passengers proceeding to and from India. On the occasion of the embarkation of Messrs. Marjoribanks, Clarke and Ravenshaw for Bombay in the commencement of this year, the acts of the Runners attached to this establishment were carried to an unusual pitch of annoyance, in which they were headed and encouraged by their principal.\*

69. The numerous discussions in which the Government was engaged at the period referred to, rendered it an unfavourable occasion for bringing the aggressions of the Macao Custom house people to their notice. We therefore deferred it until the agitation produced by the several topics under their consideration had subsided, and laid the subject before their notice in the commencement of the month of July.

70. In the first instance the Viceroy treated our representations with a coolness amounting to contempt, and even directed the Merchants to remodel our address, and render it more agreeable to his views of the question.† We were however informed by the Merchants, that a Wei-yune or officer deputed by Government upon a special service, had been despatched to Macao to inquire into the affair. The progress of this officer's proceedings are detailed under date 21th July, upon our Public Consultations, but their result became more evident upon the publication of an Edict from the Viceroy, recorded under date 1st August, which reprehends the conduct of the Macao Custom-house people, and directs the apprehension of offenders for examination.

71. An unsatisfactory Edict was issued by the Hoppo about the same time,‡ which referring the question to old established custom, in fact, left us exposed to the same irregular and undefined exertions which formed the subject of our complaint.

72. A second Proclamation of the Viceroy seemed to promise the most favourable results.§ This order entirely restricted the license of the Custom-house to strict search, and

\* Public Consultations, 9 July.

† Public Consultations, 4 August

‡ Public Consultations, 19 July.

§ Public Consultations, 5 August.

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the Custom-House  
People at Macao.

and the charges of the Porters to the customary wages given by natives for the conveyance of goods. The contents of this Edict appeared the most clear and explicit that we had ever received in favour of the rights of foreigners; but we fear the result has proved that it can only be quoted as a confirmation, that although this Government may, when urged by reiterated complaints, feel themselves compelled to espouse the cause of foreigners ostensibly in their proclamations, an understanding still exists that aggressions, when not carried to a length which involves the party concerned in a serious charge of disturbing the public tranquillity, will be winked at by the superior officers, and that a system of extortion obtains a tacit license, wherever a situation under the Government which affords the means of exercising it is purchased, and we believe this to be the case with all public offices.

73. For facts which support this observation, we beg to refer your Honourable Court to two cases which appear upon our Consultations under date the 10th September. In the former of these the crew of a boat belonging to a Free Trader lying in Macao Roads was attacked by the Runners of the Custom-house while carrying some fresh provisions down to the beach. A sum of money was demanded, and upon the refusal of the crew to comply, the Chinese proceeded to use force, from which the boat's crew, composed only of a few boys and a mate, were compelled to escape by the means which offered themselves. On the second occasion quoted, a lady landing from a country vessel was detained on board the boat which brought her on shore for upwards of two hours, the Custom-house people refusing her permission to land, or what amounts to the same thing, not allowing any boat to approach for the purpose of her disembarkation.

74. Although little advantage could be expected from fresh representations to the Government, with such glaring instances of violation of the orders so recently issued before our eyes, we considered it our duty to state the facts as they occurred to the Viceroy, which will at any rate relieve us from the charge of passing these aggressions unnoticed, should any unfortunate result ensue from the repeated misconduct of the Chinese attached to the Custom-house. We shall therefore continue to give the Government warning upon every fresh occasion of offence, and the blame attached to refusing to adopt the necessary measures for securing public tranquillity must rest with them.

75. The disposition of these people to give further annoyance has been shown in charges of smuggling, which have been preferred against the Commanders of our ships upon the occasion of landing the Company's packets and personal baggage of the gentlemen of the Factory who returned to China this season. These accusations have been contradicted by us, and the facts explained.

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EXTRACT LETTER in the Separate Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 28th December 1830.

Par. 34. It is with much satisfaction we inform your Honourable Court that we have had no reason during the last year to complain of the Custom-house at Macao. The strong



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strong Edict of the Viceroy referred to in the margin, which we were careful to make as public as possible by every means in our power, seems to have had its effect in repressing the voracious exactions of those who farm that custom station from the Hoppo; but we have been given to understand that this effect has been aided by an annual present from the Consou, in lieu of the profits which have been abandoned.

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(21.)—RESPECTING THE RIGHT OF THE SUPRACARGOES TO ADDRESS THE OFFICERS OF THE CANTON GOVERNMENT.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 17th November 1825.

Right of Address-  
ing the Canton  
Government

Part of Par. 3. WE beg to attract the attention of your Honourable Court to two Edicts from the Viceroy and Hoppo, recorded in our Consultations under date the 1st and 20th October, which take a short review of the character of foreigners engaged in the commerce with China. At the present period, when so much has been said of the evils which result from the monopoly of the East-India Company, it may at least be a source of satisfaction to those who regard it only as a national question, that the principles of equity and liberality on which your affairs have been conducted, have enabled your representatives to establish a character which has been distinguished by the Government of this country from that of other foreigners engaged in commercial transactions, and has even called forth a description of approving acknowledgment rarely and reluctantly bestowed on matters foreign to the native and internal concerns of the empire. It will be perceived by your Honourable Court that the right of addressing the officers of the Canton Government is by these proclamations declared to belong exclusively to ourselves, and this we must ever consider a privilege of the highest possible importance.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 16th November 1827.

Par. 44. WE have no cause to complain of the conduct of the present officers at the head of affairs. It will be observed, that redress was afforded by a notification from the Hoppo of an offensive nature when complained of. This officer had a relation high in the Imperial administration, who has lately been dismissed, and he himself will leave his present office in January next.

(22.)—RESPECTING THE USE OF, AND CHARGES FOR, BOATS BETWEEN CANTON AND MACAO.

(E.)  
Redress of  
Grievances, &c.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 17th November 1825. Charges for Boats.

Par. 119. THE exorbitant charges and duties which have for many years been levied on chop boats passing between Canton and Macao, and the refusal of the Government to admit the legal employment by foreigners of boats of smaller dimensions, has long been a source of great expense and serious inconvenience. It will be seen on our records\* that a body of the British agents in Canton, accompanied by other foreigners, having ineffectually applied to the Merchants upon this subject, proceeded to the city with a petition to the Viceroy, the result of which was a guarantee on the part of the Merchants, that, with the exception of the hire of the boat, they were willing to take all other charges upon themselves. In a future proclamation from the Hoppo, the use of fast boats between Canton and Macao was declared to be legal; and an Edict from the Viceroy, in reply to an address presented to him by us upon the subject, distinctly prohibited the extortion of money under any pretences. To the Hong Merchants we owe the old system, which has existed for half a century; to the present favourable disposition of the Viceroy, who appears to have been solely governed by a principle of justice, we are indebted for its abolition, although confirmed by prescriptive usage and long continuance. It shall be our earnest endeavour to act upon the proclamation of the Viceroy, and resolutely to withstand, under its sanction, all attempts which may be made to re-establish the old system, which has now by authority of the Government been abolished.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th March 1826.

Par. 16. WE this day assembled the Hong Merchants for the purpose, amongst other subjects, of calling their attention to the high charges and duties to which foreigners were still subjected in the employment of chop boats, and requiring of them to furnish us with an accurate statement of their legal amount. They gave us every assurance of their assistance; and should the result of their inquiries exhibit a high rate of charges, it will then remain for our consideration to address the Government upon the subject; and as the present Viceroy of Canton has shown every disposition to discountenance undue extortion on the part of the inferior Mandarins, we should be led to expect a favourable issue to such an application.

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\* Consultations, 11 and 18 June, and 15 July 1825.

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Redress of  
Grievances, &c.

Charges for Boats.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 16th November 1827.

Par. 52. In the case above noticed, the expenses taken from Europeans have been transferred to the Merchants and to the general trade in the result. Howqua having influence to persuade the Merchants to continue the illegal fees to the subordinate officers in preference to exciting their enmity.

(23).—RESPECTING AN ATTACK ON CAPTAIN WALKER IN CANTON.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 8th December 1826.

Attack on Captain  
Walker

Par. 4. A VERY unprovoked attack having been made in the streets of Canton by two low Chinese upon Captain Walker, who received a very severe contusion on the head, we deemed it advisable, with a view at the same time to punish the aggressors and to prevent the recurrence of such acts, which are so liable to terminate in serious disturbances, to address the Viceroy on the subject. We took occasion also to mention, that several low spirit-shops in the neighbourhood of the Factories had become a very serious evil, as Chinese belonging to them were constantly on the watch for all sailors landing from boats, who were enticed into these shops, and that drunkenness and loss of health were too often the consequence. We are happy to have had redress upon both these subjects, by the punishment of the persons guilty of the assault upon Captain Walker, and by the retail spirit shops being shut up by order of the Government.

(24).—RESPECTING THE HOPPO CHARGING THE SUPRACARGOES WITH  
CONTRABAND PRACTICES

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th October 1827.

Charge  
of Contraband  
Practices.

Par. 23. SHORTLY after the arrival of the first ships of this season, we applied for the usual permit for Mr. Millett to proceed to Canton, to commence the unloading of the Honourable Company's chartered ships Alfred and Broxbornebury, whose despatch we wished to effect in the commencement of this month. The necessary license was issued from the Hoppo's office for the object required; but an Edict accompanied it, which, while it censured the application for a single boat, and directed that foreigners should proceed in fleets to Canton to obviate the inconvenience resulting to the public officers from numerous applications for permits, proceeded further to inculcate the necessity of a strict surveillance upon the Custom-house officers between Canton and Macao, and

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to throw out most undeserved insinuations against the well-known probity of the Honourable Company's servants.

24. In consequence of these reflections cast by his Excellency upon the long-established character of the Honourable Company's Factory in this country, we considered it necessary to forward an address to him, dated 20th August, disclaiming the charge of contraband practices made upon us, and expostulating upon the general tenor of his Edict, we at the same time quoted those parts of his Excellency's predecessor's Edicts, which bore testimony to the good conduct of the Honourable Company's representatives in China.

25. This address was returned from the Hoppo's office with a second Edict, dated 28th August, which inculcated the necessity of rescinding the privilege which has been long granted and confirmed to us, of corresponding with this Government in the Chinese language. Howqua having undertaken to represent, in the name of the Hong, our claim to this mode of communication, established by Government Edicts in the year 1811, we did not consider it necessary to return any immediate answer to his Excellency's Edict.

26. The effect of Howqua's representations was seen in a third Edict from the Hoppo, dated the 31st August, couched in a conciliatory tone, and denying the intentional implication of the Company's servants in the insinuations against foreigners. Although this assertion is at variance with truth, it is satisfactory to us to perceive that this officer is disposed to adopt a favourable line of conduct towards us, and we trust we shall experience more urbanity in our future transactions with his Excellency's officer than we were at first inclined to anticipate.

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(25) —RESPECTING THE ACCIDENTAL DEATH OF A CHINESE ON BOARD A COUNTRY SHIP.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 30th November 1827.

Par. 4. Upon the 26th instant Captain Charles Clarke, the Commander of the country ship Golconda, waited upon the Select Committee to inform them of the following unfortunate accident:

Death of a Chinese  
on board  
a Country Ship.

5. The Golconda, on the morning of the 26th instant, while dropping down Whampoa Reach, had fallen on board the American ship Caledonia; a hawser was carried out to the country ship Charles Forbes, for the purpose of clearing the vessels. The hawser upon being hove upon, parted, and struck a Chinese carpenter, who was at the time sitting on the forecastle. Captain Clarke, on being informed of the circumstance, instantly repaired to the place, but found that life was already extinct; the body was removed below, and the remaining Chinese workmen detained as evidences of the fact. Captain Clarke requested our advice and interference.

6. Kinqua, the Security-merchant of the Golconda, was requested to attend the Committee, and directed to despatch a confidential person without delay to Whampoa, for

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Death of a Chinese  
on board  
a Country Ship.

for the purpose of inquiring into the affair, and taking immediate steps to prevent its progress. He proposed an application to the Mandarin at Whampoa, stated to be made at the suggestion of the Committee, for permission to the relations of the deceased to receive and bury the body, which arrangement appearing the most eligible mode of adjustment, and showing that we entertained no wish to conceal the fact, was approved by us, as well as by Howqua, who was present upon this occasion.

7. Kinqua called on the 28th instant to state, that the people attached to the Hoppo boat of the Golconda had reported the circumstance to the Puan-yu or District Magistrate; but on the arrival of Kinqua's cousin, who was despatched from Canton to negotiate in this affair, the relations of the deceased had been induced by pecuniary persuasion to address a counter petition to the District Magistrate, requesting that the body might be returned to them; the nephew stating his conviction that the death was purely accidental.

8. Nothing further has transpired connected with this affair; but from the assurances of Kinqua, and the plain evidence in favour of the casual nature of the event, we trust that no further inconvenience need be anticipated from the final result, which will be communicated to your Honourable Court by the earliest opportunity.

20. Since writing the above paragraphs, Captain Clarke, the Commander of the country ship Golconda, called upon Mr. Plowden, and informed him that the Puan-yu, or District Magistrate, had yesterday visited the ship for the purpose of holding an inquest on the body of the deceased Chinese who accidentally was killed on board on the 26th instant; the relatives of the deceased were also in attendance, and having declared it to be their belief, that the deceased had died from the blow of the hawser in its violent recoil after parting in two, and not from any other cause; and, moreover, having declared they were quite satisfied in this point, they were required by the Mandarin to make an affidavit to this effect, and to swear to it in the usual form adopted on these occasions, by the imposition of a coloured impression of their hands on the statement; after which they were permitted to retire, and to carry away the body with them for interment.

21. Kinqua afterwards attended, and informed Mr. Plowden that the Puan-yu had immediately proceeded into the city to the Viceroy, after his return from Whampoa, in order to communicate his proceedings to that officer. Nothing further has transpired; but Kinqua's impression is, that the affair will terminate here without any trouble or difficulty.

22 It is with sincere pleasure we communicate to your Honourable Court this account of the apparent termination of this event; and we trust, by our next despatch, to be able to report its final adjustment.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE  
at Canton to the Honourable Court of Directors, dated 3d December 1827.

PAR. 6. NOTHING further having transpired respecting the accident on board the Golconda at Whampoa, we have every reason to hope the affair has terminated with the inquest held on the body of the deceased on the 1st instant.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 12th December 1827.

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Grievances, &c.

Par. 3. WE are happy to inform your Honourable Court, that the affair of the accidental death of a Chinese on board the country ship Golconda, communicated in our letter dated the 30th ultimo, was finally closed as stated in the concluding paragraphs of that letter. The easy adjustment of this accident may be considered a proof of the alteration which has taken place in the minds of the Chinese upon these subjects as regards foreigners, and the different light in which they are now disposed to view an accidental death from that which charac'erised them in our early intercourse with this country.

Death of a Chinese  
on board  
a Country Ship.

(26.)—RESPECTING THE INFRINGEMENT OF CERTAIN PRIVILEGES.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 18th Nov. 1828.

Par. 41. WE have experienced in the present season a disposition, on the part of the Chinese Local Government, to rescind privileges of an established character, and to treat representations which we have found it necessary to make to them with such indifference, as compelled us at last to have recourse to a mode of drawing their attention to our statements, which we hope has proved effectual, and will prevent the repetition of similar conduct towards us in future. We shall have the honour to state the progress of these proceedings to your Honourable Court in the following paragraphs.

Infringement of  
Privileges.

42. In the month of July, having had occasion to address the Government on the subject of the extortions practised by the people of the Macao Custom-house (the result of which we shall have the honour to state in a subsequent part of this letter), we were much surprised to learn from the Merchants that the Viceroy had refused to receive our statement, and had returned it to them, with directions to open and alter it in a manner which better suited his own views.\*

43. Upon this occasion we presented a second statement to the Viceroy, disavowing any sentiments which might have been inserted in our former address by the Merchants, and informing him that our seal and signatures being always affixed to our communications, we begged that his Excellency would consider none as emanating from us which did not bear those marks of authenticity.

44. Shortly after the arrival of the Factory in Canton,† a packet of letters to our address was seized by the Poon-qu-yune, a magistrate of the Whampoa District, upon the person of the Compradore of the Orwell, who was conveying the packet from that ship to the Company's Factory. This circumstance having been stated by us to the Viceroy,

\* Public Consultations, 19 July 1828.

† Public Consultations, 4 Oct. 1828.

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Viceroy,\* that officer in reply, justified the conduct of the Poon-yu-yune, and directed that in future all letters sent from our ships should be subjected to examination.† This answer of the Viceroy, instead of being transmitted through the usual channel of the Merchants, was pasted up on the walls of our Factory by authority, a measure evidently calculated to depreciate the foreign character in the eyes of the Chinese.

45. An Edict was issued about the same time,‡ restricting the excursions of boats upon the river, which amusement being the sole opportunity we possess of enjoying fresh air and exercise, we felt by no means disposed to submit to without remonstrance. The authority also conferred, by this Proclamation, on the river police to give annoyance to foreign boats passing between Canton and Whampoa, was likely to lead to disturbances, which we felt it to be our duty to prevent by a proper representation of the facts.

46. While these circumstances were under our consideration, it came to our knowledge that a Proclamation of a most grossly abusive nature had been issued by the Viceroy and Hooppo, calculated to degrade the foreign character to the lowest degree in the eyes of the natives. This Proclamation we have alluded to, but not recorded, on our Public Consultations under date the 14th October.

47. After a mature deliberation upon the grievances which we have detailed in the preceding paragraphs, we came to a determination that it was incumbent upon us to meet them by a strong remonstrance, calculated to put a stop to further aggression, experience having proved that nothing can be expected to be obtained from the Chinese by concession, which only becomes an inducement to attempt further invasion of privileges.

48. We therefore drew up an address to the Viceroy,§ in which we stated the absolute necessity of a communication with our ships by letter, which could be easiest effected by the employing Chinese boats; that if his Excellency refused his permission for that mode of conveyance we must have recourse to the use of ship-boats, the crews of which we were at all times most desirous to keep away from Canton, and to which we should most unwillingly resort.

49. We also represented to his Excellency that the recreation taken by foreigners upon the river could not be viewed merely as an amusement. The heat and confined air of our Factories is highly injurious to the health of Europeans, situated, as they are, in the suburbs of a populous city; no liberty beyond the precincts of the Factory being permitted by land, we possess no means of escaping from the inconveniences above specified, excepting by excursions in boats upon the river; and while that amusement is conducted within reasonable limits, it appears a harsh measure to restrict it.

50. In noticing the opprobrious proclamation of the Viceroy alluded to in a preceding paragraph, we confined ourselves to stating that such proclamations were ill adapted to conciliate the feelings of foreigners. We also took the opportunity of remarking, that his Excellency's predecessor had adopted a very different line of conduct

\* Public Consultations, 6 Oct. 1828.

† Public Consultations, 7 Oct. 1828.

‡ Public Consultations, 10 Oct. 1828.

§ Public Consultations, 14 Oct. 1828.

duct towards foreigners, having interdicted, by an Edict, the practices of abuse and insult carried on by the Chinese on the river, as likely to irritate and lead to disturbance. We regretted to observe that the present Viceroy's acts were calculated to excite animosity.

51. Having combined these several subjects of complaint in one statement, we accompanied them by such observations as we considered appropriated to the subject, and delivered them to the Merchants for presentation to the Viceroy.

52. We were informed, the day after our representation was drawn up, that the Viceroy refused to receive it, adding, that no necessity existed for presenting petitions. Upon the receipt of this intelligence we were compelled to adopt the mode of bringing our grievances to his Excellency's notice, which has been resorted to formerly on similar occasions; viz. that of carrying our address to the city gates, and presenting it in person.

53. We therefore requested Captain Hamilton to select such people from the boats' crews in Canton as were considered men of respectable and orderly behaviour, and desired him to accompany Mr. Davis, who took charge of our letter to the city. A sufficient number of the officers of the Honourable Company's ships were also in attendance to control the conduct of the seamen. This party, having proceeded to one of the gates, and given notice of the object of their mission to the guards stationed there (for which purpose slips of paper, with an inscription in Chinese, signifying that they came to present an address in a quiet, orderly manner, were distributed amongst them), a Mandarin was shortly despatched to meet them, and receive their communication, upon which they returned to the Factories.

54. Your Honourable Court, will observe, under date 18th October of our Public Consultations, the Viceroy's reply to the representation alluded to in the preceding paragraph. This Edict, we consider, may be viewed as favourable, although a defensive tone is assumed in it: the principal points of our representation are conceded. We had also the satisfaction to observe practical symptoms of a disposition to accommodate matters, in a deputation which immediately followed of the Nam-hoy-yune to our Factories, to give directions for the renewal of the works upon our landing-place, which were forthwith resumed. We hope, therefore, that the Viceroy has been convinced by the proceeding we adopted, of the impolicy of giving unnecessary annoyance to foreigners, and that occasion will not again occur for resorting to an expedient to which we always most unwillingly have recourse.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE  
at Canton to the Court of Directors, dated 18th November 1828.

Par. 37. WE shall always feel pleasure in noticing the conciliatory conduct of the officers of the Government. Having had reason lately to complain of very opposite treatment from them, accompanied by an evident disposition to vilify the foreign character and degrade it in Chinese estimation, we forwarded a remonstrance, couched in such firm but respectful language as, we trust, will produce a better feeling towards



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us in the Viceroy. The immediate result of our address, and the manner of its presentation was evinced in the temperate reply from that officer recorded under date 18th October last.

(27).—RESPECTING THE STATE OF THE FOREIGN TRADE WITH CANTON, AND THE ESTABLISHMENT OF ADDITIONAL HONG MERCHANTS.

Foreign Trade  
with Canton.  
New Hong.

Public Department, 8th October 1829, Paragraph 3 a' 17.

Ditto .....	15th	—	.....	—	1 a' 5.
Ditto .....	23d	November	.....	—	3 a' 27.
Ditto .....	30th	—	.....	—	3 a' 13.
Ditto .....	14th	December	.....	—	4 a' 12.
Ditto .....	29th	—	.....	—	3 a' 12.

For these paragraphs, see letters adverted to, presented to the Select Committee the 3d June 1830, in the Appendix to the First Report of the Select Committee of the House of Commons, No. IX, page 1022, *et seq.*

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 28th January 1830.

Par. 3. WE stated in the 9th to the 12th paragraph of the despatch above referred to, our intention to make a final attempt to procure redress for the embarrassments of the trade, by application to the local authorities of Canton, in an appeal to the newly-arrived Hoppo, or Commissioner of Customs. This resolution was carried into effect and we beg to refer your Honourable Court to our Secret Consultations of 25th December 1829, for the address presented by us to that officer.

4. We regret to state, that the Hoppo's reply \* declared his determination to adhere to the decision formerly passed upon our representations by the Viceroy, and promised no improvement to the embarrassed situation of affairs.

5. Having received what appeared at that time to be the final reply of the local authorities, without an appearance of concession on any point, it became a subject of the most weighty consideration, whether we should resume commercial intercourse, or whether, in accordance with the tenor of our professions, we should continue to abstain from such intercourse. A question which embraces the interest of the Honourable Company, and of a large body of the British mercantile community, could not be viewed without a deep sense of the responsibility incurred in forming our decision. We endeavoured to view the subject with the strictest impartiality of feeling, and hope we have selected that course which is best calculated to place this trade on a firm foundation. In deciding our choice at so important a crisis, we have felt it a duty not to limit our views to the object of loading the Honourable Company's ships for the present season, which would be dearly attained at the risk of incurring permanent and irremediable

\* Secret Consultations, 6th January 1830.

diable impediments to commerce. It has been our earnest endeavour to secure solid advantages to our honourable employers, which might prove the basis of prosperity to their affairs in this country for successive years.

6. We felt it incumbent upon us, as a preliminary step, to review the series of our correspondence with this Government,\* and have now the honour to state the inferences which we have drawn from it.

Part of Par. 7. The disinclination evinced by the officers of Government to grant any new privileges to the foreign trade might naturally have been expected, where both their own private interests and their national prejudice against innovation were to be overcome; but the contempt shown to the orders of the Emperor for the establishment of new Hong's, by the promulgation of Edicts by the local government,† without any intention to act upon the professions contained in them, has been a subject of surprise and what we certainly had not anticipated.

Par. 15. Our influence with the Chinese Government being purely of a commercial nature, has been hitherto supported by the apprehension of the withdrawal of the trade. This influence has been supported entirely by opinion, but has proved so strong as to preponderate in all differences of a serious nature. Whether the suspension of commercial intercourse has originated with the one party or the other, the risk and responsibility of losing a valuable trade has ultimately preponderated over all other considerations in the minds of the local authorities. Through the influence of this principle, skilfully directed, the interests of our honourable employers have been hitherto preserved, and an effectual resistance opposed to the encroaching spirit of a venal government.

16. A combination of circumstances has rendered the employment of this powerful weapon, the suspension of trade, necessary. We had hoped, from the tone in which the Government replied to our representations at the commencement of the discussion, that we should be able to report to your Honourable Court some favourable circumstances at an earlier period; but notwithstanding our declaration of the impossibility of entering on commercial intercourse till the Hong was relieved from its embarrassed condition, and our reiterated representations to that effect, an apathetic indifference characterized the policy of the Government, and no impression seemed to be produced. If, after taking up such grounds, we had consented to recede, and trade upon the terms dictated by our opponents, no hope could have been entertained of resisting their encroachments for the future. Suspension of intercourse would hereafter be looked upon as a vain threat, and the only course left to us be implicit submission to the will of the victors. The Cohong system being put in force in its most obnoxious form, would sap the foundation of the Honourable Company's trade, while all resistance would be rendered hopeless. The opinion of the firmness and integrity of the representatives of the Honourable Company in this country, which has hitherto proved an effectual check to the inroads of avarice and oppression, would lose its influence. The Chinese Government would acquire the lamentable conviction, that this trade, being indispensable to foreigners, could be conducted according to the dictates of their own interests. They would proceed under this impression to additional acts of extortion, which the absence of

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\* Secret Consultations, 11th January 1830.

† Secret Consultations, 20th November and 5th December.

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of the moral influence that has hitherto operated as a check, would reach such a point as to render the continuance of the trade impracticable, without recourse to measures of a desperate nature.

17. From this we were led to the reflection, that a serious loss of time, and heavy expense, had already been incurred in sustaining the discussion to the period when it became necessary to determine whether we should abandon or maintain our position. Was this to be a useless sacrifice, without the attainment of any corresponding recompense? Could we hope, even in submitting to it, that the trade would be satisfactorily conducted under the system to which it would be reduced. Our experience of Chinese character forbade us to entertain such an expectation; and we could only contemplate the certainty of being compelled to renew the struggle hereafter, and at no distant period, under increased difficulties and embarrassments.

18. We confidently trust, that an impartial view of both sides of this intricate question will lead your Honourable Court to the conviction which it produced in our minds. We came to the conclusion, that a perseverance in the course hitherto pursued offered, of two evils, the least to our choice, and we determined to abstain from trade till some favourable alteration in the terms upon which it was offered rendered it worthy of acceptance. The more important, the more valuable the interests at stake, the more do they require the protection of firmness, on which our hopes of their security for the future can alone be placed with confidence. We consider that we stood on high grounds on the present occasion, and that our grievances, when brought to the notice of the Court of Peking, could not fail to meet attention and receive redress. The resistance of the local government to the commands of their superiors, and the frauds practised upon foreigners, with the connivance of the Canton authorities, in such instances as those of the bankruptcy of Manhop, and the removal of property by the retired partner of the Hong of Chunqua, could not fail to be seriously viewed by a Government always jealous to preserve the integrity of its authority, and unwilling to permit claims to exist against it on the part of foreigners. These, while they destroy all pretensions to the administration of imperial justice, compromise at the same time the dignity of the Empire.

19. Having given the subject the most deliberate attention, and we need hardly assure your Honourable Court, that it has caused the deepest anxiety in our minds, we came to the determination of preparing our ships to leave the port, being convinced that their presence encouraged the opinion that we had not seriously resolved to act upon the professions which we had held out to the Government, and that no hopes of an accommodation could be entertained till the apprehensions of the Chinese were excited for the withdrawal of the trade. At the same time, we took measures for the despatch of two of our ships to different parts of the coast, for the purpose of presenting memorials, addressed to the Emperor of China, upon the embarrassments of the British trade to Canton.

Part of Par. 20. Being resolved, however, to lose no chance of a favourable turn in affairs, which might avert the necessity of recourse to the extreme measure of the removal of our ships, we drew up a Memorial to the Emperor of China,\* stating in a general manner the grievances for which we solicited redress, and having enclosed one copy of it under a seal to the Viceroy, and one to the Hoppo, we forwarded them to Canton

\* Secret Consultations, 11 January 1830.

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Canton, in the charge of a gentleman of the Factory, attended by a party of Commanders, officers and seamen of our ships, with orders to deliver them at the gates of the city. This duty was performed on the 18th instant, and the addresses were received by an inferior officer of the Government. We shall have the honour to detail to your Honourable Court the result of this mission in a subsequent part of this despatch; and will only remark here, that it has been of a nature sufficiently satisfactory to induce us to postpone the adoption of the measures to which we have alluded in the preceding paragraph, though we cannot state at the present moment that the necessity of such a course has been removed.

Par. 30. On the 23d instant replies were received from the Viceroy and Hoppo\* to our addresses, enclosing memorials to be transmitted to the Emperor of China. The communication of the Hoppo is in unison with the former Edicts of that officer, as regards its general import; but it returns the memorial to the Emperor, and states as a reason for this proceeding, that the mode of presenting it was irregular.

31. The Viceroy has also returned the memorial to the Emperor, alleging the same reason for his refusal to transmit it to Court as has been given by the Hoppo. The tone, however, which pervades the Proclamation of the former officer is of the most conciliatory nature, and when put in comparison with the last communication received from him, in which any further attention to our representations was peremptorily refused, may, we hope, be assumed as proof that a considerable change has taken place in his sentiments.†

32. We forbear to offer a decisive opinion upon a document, which must be judged rather by its general tenour than by the precise signification of its contents. It has, however, afforded us this consolatory reflection, that the door is again opened to negotiations, and we have taken advantage of this circumstance in the manner which we think offers the best chance of bringing matters to a satisfactory termination, if the professions contained in his Excellency's Edict prove sincere.

33. The real substance of the Viceroy's Proclamation may be summed up as follows:

That an express has been despatched to the province in which the elder Chunqua now resides, to cause his immediate return.

That candidates have offered themselves for the situation of Hong Merchants.

That the creditors of Hong Merchants may meet together, make up their accounts and claim payment. This we conceive to have reference to the debts of the Hong of Chunqua.

And, that the Emperor's orders have been received, sanctioning a modification and reduction of the present paid upon entering the port.

34. In noticing our request to be allowed to rent warehouses, the Viceroy has adhered to his former refusal to grant that point; but he has given the most positive assurances for the security of property lodged in the Hongs of the Chinese Merchants, who, he has most distinctly declared, are liable to the risk of fire, water, thieves, and every earthly calamity that can occur to goods confided to their charge. As regards the security

\* No. 1 and 2, of Secret Packet, per Bridgewater.

† Secret Consultations, 9th December 1829

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security of property, we are not aware that in any part of the world it exists upon more favourable terms than those, to the importer. And although the object of conducting commercial dealings independently of the medium of the Hongs is not positively gained by this arrangement, it seems probable that much may be effected by an inclination on the part of the Foreign and Chinese Merchant to consult mutual accommodation. We feel, therefore, that we must remain satisfied with the Viceroy's decision upon this point, and exclude it in subsequent negotiation from the list of demands.

35. The Edict to which we are referring concludes by general assurances of a desire to accommodate, and quotes the orders of the Emperor expressive of the same purpose, and an inclination to encourage the peaceable conduct of foreign commerce.

36. The circumstances of the change of tone adopted by the Government when an impression has been excited that our ships would leave the port, coupled with the disinclination evinced to receive our memorials to the Emperor, lead us to draw the inference that instructions have actually been transmitted from the Court of Peking to adjust the discussion upon fair and reasonable terms; and that the local government has been forced to the disclosure of this fact by our demonstration of recourse to extreme measures.

37. It is a remarkable point that the date referred to in the Viceroy's Edict, as that of the arrival of the express from Peking, should be the very day upon which the delivery of our memorials at the city gates took place. This circumstance would fairly warrant the conjecture that the Government has wished to make it appear that the alteration in their tone preceded, and was not the effect of that measure. A more distant date could not be named, for it might fairly be asked, why were the Imperial orders concealed? It had moreover been asserted by the Merchants in Canton, on the very day that the occurrence took place, that the despatch from Peking could not be expected in less than a fortnight. The cause and effect are too nearly allied by appearances to admit of much doubt respecting their real connection.

38. Our reply to the Viceroy, to which we beg to draw your Honourable Court's attention, has been carefully drawn up with the object of demonstrating to his Excellency that while we have every wish to meet the conciliatory feelings exhibited in his proclamation, by a reciprocal desire of amicable adjustment, we are in no way disposed to swerve from the resolution which was communicated to the Government at the time when we presented our memorials to the Emperor; and that our resort to extreme measures is merely postponed, under the impression that his Excellency meditates a reasonable accommodation.

39. An appearance of anxiety has been evinced by the Viceroy to receive our answer, in the deputation of a Government Linguist to proceed in charge of his Excellency's communication to Macao, and await our reply, which will be made with as little delay as possible.

EXTRACT LETTER (Secret and Confidential) from the SELECT COMMITTEE at Canton to the Chairman of the Court of Directors, dated 31st Jan. 1830.

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WE perceive, in the Viceroy's last answer to our address, in the peculiar way in which it was forwarded to us, and in the marked manner in which he voluntarily re-opens the negotiations which he had himself closed, by refusing to receive our addresses, the good effect that has been produced by our last measure of presenting our petition for the Emperor at the city gate. We believe now that the Government is convinced that we are in earnest; and we also believe that the Viceroy is disposed to grant such terms as we shall be able to accept. So strong is our conviction on this point, that were we contending with any other than this peculiar people, we believe an arrangement might take place very shortly.

We have every reason to hope we shall be enabled to restore the Hong to its original number of twelve or thirteen; and should our efforts prove successful, we shall consider the Company's trade with China rescued from a state of peril, the greatest perhaps it has ever been exposed to.

We have before observed, that we believe the Viceroy will grant such concessions as we can expect; but the greatest caution is necessary on our parts; too much anxiety evinced would infallibly tend to make him recede; the policy of the Government appears to be to grant nothing beyond what necessity obliges them to do, even in things most trivial.

We do not consider we are too sanguine in expressing our hope, that in three weeks the ships will be at Whampoa.

We have been informed, that at this moment respectable men are ready to be made Hong Merchants, but that the Viceroy and Hoppo, in defiance of their positive declarations to the contrary, still endeavour to extort an exorbitant fee, to the collective amount of 50,000 dollars for each Hong. We look to this difficulty being overcome, now that the Government are convinced of the necessity of the case.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 10th Feb. 1830.

Par. 2. We have great satisfaction in communicating to your Honourable Court the intelligence that an accommodation has been effected, with reference to the discussion in which we have been engaged with the Chinese Government, and that the Honourable Company's ships received our orders to enter the river upon the 6th instant.

3. We shall have the honour to detail to your Honourable Court the particular circumstances of this arrangement at a future opportunity:

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 23d Feb. 1830.

Par. 2. WE have now the satisfaction to inform your Honourable Court, that in consequence of an arrangement that has been effected with the Government of Canton, the Honourable Company's ships received our orders to enter the river and commence the immediate discharge of their cargoes on the 6th instant. We shall have the honour to detail the circumstances which have given rise to this resolution.

3. Upon the 1st of this month the Hong Merchants arrived at Macao, but without any official deputation from the Government. Their ostensible motive for visiting this place was to take leave of Mr. Plowden, who had embarked for England the day preceding their arrival. They informed us, that an answer might be daily expected from the Viceroy to our last address; upon which, we declined to enter into any discussion with them respecting our future proceedings.\*

4. Upon the 5th instant, a Proclamation was received from the Viceroy through the Merchants, which will be found in our Secret Consultations under the same date.

5 The general tenor of this document is of the most conciliatory nature, as well as that previously received from his Excellency, and recorded upon the 25th ultimo; both lead to the conclusion that the Government are extremely desirous to preserve the tranquillity which has usually attended the conduct of the trade; and perhaps upon the present occasion have evinced a greater anxiety to restore it to its ordinary course than they have hitherto permitted themselves to disclose.

6. The Viceroy's Edict informs us that one new Hong has already been established, and that other persons have requested to be allowed to enter the Hong; that he not only is desirous of increasing the number of Merchants to its original strength, but will also, if opportunity offers, be glad to extend it even beyond that limit.

7. The progress actually made towards the completion of the original number of the Hong is certainly but small, and our knowledge of the Chinese character does not permit us to calculate with confidence upon the fulfilment of the promises of the Government hereafter. At the same time there are some arguments which support the assertion of the Viceroy, that it is impracticable to accomplish this object at the present moment. It has been stated by the Merchants, that the reluctance to engage in the foreign trade proceeds from want of confidence in the future prospect of beneficial returns to the speculator, that the embarrassments of the commerce discourage persons of property from coming forward; and that those who are now deterred by such reasons from presenting their names as candidates for admission into the Hong, may be expected, if our ships enter the port, and mercantile affairs are restored to the regular routine, to embrace with pleasure the favourable opportunity now offered to them of entering the trade upon moderate terms. Puankhequa, Goqua and Kinqa declared, that they were each acquainted with a person who contemplated the establishment of a Hong. There ap-  
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pears also to have existed a doubt whether the new Merchants would receive the assistance to be derived from a portion of the Company's business being allotted to them, upon their commencing their commercial career. We attach such importance to the attainment of new members to the Hong, that we shall give every encouragement in our power to enterprising in this line: but before we are acquainted with the character of the new Merchants, our transactions with them will necessarily be confined to the purchase of teas from them, and the sale of our imports for cash payments. An equitable discount will of course be allowed in the latter transaction for the consideration of receiving ready money. It is said, that the knowledge of our intentions in this respect will prove a great inducement to the candidates, especially when combined with the resumption of trade, and our personal appearance in Canton.

8. A Tea Merchant, named Pun-suy-lan, has been mentioned as very desirous to enter the Hong. This person's name has appeared on our records as the contractor to supply the Fokien Bohea received from the Hong of Chunqua. Though he has proved on some occasions a troublesome opponent in the tea trade, yet the energy displayed by him promises a useful addition to the body of Hong Merchants; the knowledge and connections of Pun-suy-lan would in all probability render his mercantile speculations successful, and we should feel highly gratified if he is induced to carry his project into execution.

9. The obstacle which has hitherto existed upon the part of the Government to obtaining competition in the foreign trade appears to have been overcome, as far as the principle extends, by the creation of one Hong. The manager of this is said to have been admitted upon the payment of fees to a moderate amount, and such as will by no means deter other persons from coming forward. The Viceroy has repeated the assurances formerly given of the payment of debts, and the punishment of Merchants who might be convicted of fraudulent practices; and we have expressed our willingness to rely upon the honour of the Government for the fulfilment of these promises. The point which seemed at this juncture principally to demand our attention was, whether we were justified, under existing circumstances, in accepting the assurance of the Viceroy, that the Hong shall be restored to its original number.

10. In forming our determination upon this subject, we naturally attach great importance to what appeared to be the general impression produced on the minds of the Chinese by the suspension of our trade. The tone adopted by the Government towards the latter part of this discussion has evinced serious apprehensions of the ultimate removal of the trade; and it may be hoped that this impression will act as a powerful check upon them in future, to prevent the repeated connivance at frauds, such as characterized the bankruptcy of Manhop, and the removal of Chunqua, the latter person having been the cause of such serious inconvenience to the trade, we think will be either severely punished, or compelled to return to Canton. If it be true that the conduct of this person has been represented to Peking, it seems hardly possible that he can escape the heavy displeasure of that Court, who must see the necessity of putting a stop to such practices, if they wish for the continuance of the trade.

11. We are rather inclined to augur favourably respecting the augmentation of the Hong. We trust that the same effect has been produced in the minds of the Chinese by



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the continued suspension of the trade that might have resulted from its actual removal, and that the influence of this impression will prevail for some time in checking the encroachments of the Government. Upon a review of the circumstances, there appeared a probability of obtaining an augmentation of the Hong through the encouragement we might give to the new Merchants, while the ruin of two or three of the old Hong's seemed to be the inevitable consequence of continuing the suspension of commercial intercourse.

12. Considerations of expediency were strongly in favour of an immediate adjustment of differences; the advanced period of the season admitted of no further discussion, and we were called upon to decide between the removal of the Honourable Company's ships from the port, and the sending them to Whampoa without delay; the pressure of circumstances admitted of no middle course. It still remained in our power to load and despatch the fleet from China before the arrival of the season which would preclude the hope of their effecting a direct passage to the Straits; but any further postponement of the adoption of this measure would have destroyed the expectation of success. The advances towards an accommodation made by the Government gave us a favourable and unexpected opportunity of accomplishing this desirable object upon honourable terms, and we consider that we should not be justified in neglecting to avail ourselves of it. The Viceroy had invited us in the most conciliatory language to resume the trade. He had given us the most positive assurances that no obstacle should be made to the completion of the original number of the Hong, and professed his wish even to extend it. The principle of opposition to the introduction of the Cohong system seemed to have been gained.

14. With reference to the considerations which have been above stated, we determined to order the Honourable Company's ships to enter the port, and commence discharging their cargoes; and we trust that this decision will receive your Honourable Court's approbation. The event must prove whether our decision has been judicious. It has been formed upon the hope that such an impression has been produced by the long suspension of our trade, as has convinced the Chinese of the necessity of making a serious attempt to restore its prosperity, and that this opinion will render the adoption of more extreme measures an alternative which may for the present be avoided. We have addressed the Viceroy in reply to that officer's last communication, stating the motives which had induced us to alter our determination of removing the Honourable Company's ships from the port,\* and that we have acted on a firm reliance upon the assurances which His Excellency has given, that the attainment of the important objects of the return of the elder Chunqua, the payment of the debts of that Hong, and the establishment of new Hong's, shall receive every assistance which it is in the power of the Government to render.

15. Since writing the preceding paragraphs the President has had a personal interview with the Tea Merchant, Pun-suy-lan. This person has petitioned the government to be allowed to establish a Hong for the foreign trade. The Viceroy has passed an application to the Hoppo, by whom a demand of 20,000 taels is said to be made as the price of admission. Pun-suy-lan stated his readiness to pay this sum if it met our approval, with the object of immediately entering into the privileges of a Hong Merchant,

chant, which must be very desirable to him as a proprietor of tea to a large extent ; but he was dissuaded strongly from acceding to the demand, upon the principle that a precedent would be thereby established for the assessment of all subsequent petitioners. If the application of Pun-suy-lan proves unsuccessful, we shall consider it our duty to address the Viceroy on the subject, which we trust will accelerate the settlement of this question. We feel desirous to see this person established as a Hong Merchant, not only from the hope that the example may tend to encourage others to follow the same course, but from the character of the man himself, who is said to possess firmness and resolution, which we may find useful in opposing the influence of Howqua in the Cohong.

16. We shall probably be able, by a later despatch, to communicate to your Honourable Court more decisive intelligence upon the subject of the preceding paragraph, as well as to offer an opinion respecting the disposition of the officers of Government to fulfil the assurances under which we have recommenced our commercial transactions.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 2d March 1830.

Par. 2. In the concluding paragraph of that despatch\* we informed your Honourable Court, that the Tea Merchant, Pun-suy-lan, had petitioned the Government for permission to establish a Hong, but that some demur was made, arising from the fees demanded for his admission, which might render it eventually necessary for us to address the Government upon the subject.

3. Pun-suy-lan subsequently informed us, that the obstacles to the establishment of his Hong were made in the Hoppo's department, and recommended our addressing the Viceroy, as a measure likely to bring the affair to a speedy termination.

4. We therefore presented a statement to that officer,† expressing a hope that his Excellency would not permit the good intentions which appeared to influence him for restoring the prosperity of the trade, to be thwarted in any department of the Government. We further added, that we had resumed our commercial transactions under his Excellency's assurance of promoting our views in the creation of new Hongs upon any favourable opportunity, and that we looked with confidence to see those promises fulfilled.

5. We have the satisfaction to inform your Honourable Court, that this representation was attended with the desired effect. The Hong of Pun-suy-lan was proclaimed on the 27th instant, only two days after the presentation of our address ; and the day following another new Hong was declared to have received the permission of Government to conduct the foreign trade.

6. We shall now have the honour to communicate to your Honourable Court such information

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information as has reached us respecting the circumstances and connexions of the three Hong newly established.

7. The Manager of the first Hong declared in the Viceroy's Edict, recorded upon our Secret Consultations under date the 5th ultimo, is one of several brothers, amongst whom a considerable property was divided upon the death of their father, but which left but a moderate sum as the share of each of them. One of the brothers is the manager of a silversmith's shop formerly conducted by the father, who traded also largely in sycee. The name of the new merchant is Yen-ke Tseang; the Hong's name is Hing Tae. To avoid confusion of names in future we shall adopt the name of the Hong to designate the individual who manages it. This mode of denomination appears the most correct, as it has reference to the firm, and can never be changed; the names of persons in China are constantly altered, according to the caprice of the individual, and this habit prevails to such a degree that Europeans experience the greatest difficulty in ascertaining the correct appellation of any native.

8. The second newly-established firm, under the management of Pun-suy-lan, is called Chong Wo. Pun-suy-lan's correct name is Puan-wun-taou, in the Mandarin dialect, or Pun-mun-to in that of the province of Canton. This person has long been engaged in the tea trade, in which he amassed a property of considerable amount; he is a native of the province of Fokien. We understand that he has sustained a heavy loss in his dealings with the Hong of Chunqua. This is said to amount to 100,000 dollars; but he is still represented to be a man possessed of large property, and his character stands high amongst his countrymen. We view the accession of this person to the body of Hong Merchants as a most desirable addition to their number. If capital to a certain extent, managed by a man of knowledge in the tea trade, and acuteness of understanding, can thrive in the foreign commerce, it has now a fair prospect of success.

9. The third Merchant acknowledged by the Government is named Ma-too-leang, in the Mandarin dialect; the name of the Hong is Shun Tae. This person has been many years engaged in foreign trade, both in Canton and at Macao, and is well spoken of by Europeans who have dealt with him. He is himself possessed of some property, and is connected with a partner, who is spoken of as being in very independent circumstances. The partner was engaged in the opium trade, and banished for some offence to Elec, from whence he has returned several years, the punishment of exile having been remitted upon payment of a fine. This man is said to have been the projector of the new Hong, and to possess the largest share of the capital invested in it, but in consequence of the circumstance above alluded to he could not appear ostensibly as the manager of the firm. We entertain hopes that this Hong may prove useful to the foreign trade.

10. It is extremely satisfactory to us to find that the Government has fulfilled its promises of the creation of new Hong, as the faith kept upon one point encourages the hope that it will be maintained in others. We hear there are still persons desirous of being made Merchants, and shall perhaps be able hereafter to report further accessions to the Hong.

11. It appears that the Chong Wo Hong has been permitted to conduct trade without obtaining the security of the other Hong Merchants; the Hong will therefore be responsible for its own debts, and these, if incurred, can produce no injury to the remaining members.

bers. This is an innovation which we have constantly suggested to the Government during the late discussion, and which it appears they have now adopted spontaneously, although unwilling to appear to do it at our suggestion; we would gladly see every Merchant placed upon this independent footing, and hope it may continue to prevail in the creation of all the new firms. Although we believe that private traders would contend for the preservation of the old system, which enables them to entail a debt, by means of the necessities or imprudence of the indigent Merchants, under the security of the more wealthy, we shall always view the abolition of so unjust a regulation, as calculated by raising the independence of the Merchant to give vigour and energy to the trade, and consider it the first step towards improvement.

12. While this regulation prevails there can, to all appearances, be little difficulty in procuring additional members to the Hong. The impediments which must be expected from the old Merchants under the former system, are principally removed, and a prospect of something resembling free trade is open to us. The only existing obstacle would seem to be the disinclination to encourage competition, which must for some time continue to pervade the established Hong; but we trust that this may wear away with time, as our intercourse with the natives improves.

13. We are unable to give your Honourable Court any certain intelligence respecting the elder Chunqua's return to Canton. Numerous rumours are afloat, upon none of which dependence can be placed. In the meantime we have considered it advisable entirely to withdraw our commercial dealings with the Hong of Chunqua, with the view of marking our determination to give no encouragement to the acts of dishonesty which have characterized its management, as well as with reference to the utter inability of the Hong, in its present embarrassed condition, to conduct our trade. The continuation of our support would have answered no purpose beyond the liquidation of the debts of European creditors, and your Honourable Court have already expressed your dissatisfaction with that mode of conducting business, in reference to the bankrupt Hong preserved from insolvency through the assistance of the Honourable Company in the season 1813-14. Our aid in this instance would, in fact, have tended to perpetuate a system which we are desirous to abolish, and which we hope in time will become extinct. We have also considered it judicious to give every encouragement in our power to the new Hong, which the shares of our trade, vacated by the suspension of our dealings with Chunqua, enable us to offer. At the same time, if the former partner of that Hong should hereafter return and be willing to re-establish the firm, we shall be ready to resume our transactions with the Hong, though perhaps under a reduction of their original extent, till the credit of the establishment has been restored by a course of prudent and upright management.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 30th March 1830.

Par. 45. We shall endeavour, as far as it is practicable, to conform to the wishes of your Honourable Court, expressed in the paragraphs under reply; but we beg to remark, that instances will occur in which we may be compelled to depart from these instructions.

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instructions. As the Chinese Government avoid, as much as possible, direct communication with foreigners, they frequently enforce their measures through the medium of the Hong Merchants or other natives. Exactions and restrictions are thus heaped upon the foreign trade, through an indirect channel, and would daily increase if we allowed their progress to pass unnoticed. We may here instance an occasion in which our prompt interference caused the immediate attainment of a very important point to the interests of the Honourable Company, although made in favour of persons with whom we are totally unconnected. We allude to our address to the Viceroy respecting the demands made by the Hoppo, on the application of the manager of Chong Wo Hong, to enter upon the foreign trade.\* The result of that remonstrance was most successful.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Honourable Court of Directors, dated 18th September 1830.

Par. 6. WE have much satisfaction in announcing to your Honourable Court that two more Hong Merchants have lately been added to the four admitted into the Cohong last season.

7. We are at present without the necessary information regarding the character and capability of these men to offer an opinion as to their individual merits; but we greatly rejoice at the circumstance, and trust that one of the principal barriers formerly existing to the extension of the Cohong (we allude to the exorbitant fees on the creation of a new Merchant) is removed.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 28th January 1831.

Par. 26. AN Address to the Governor, strongly recommending the creation of more Hong Merchants, as a measure mutually advantageous to both parties, has been drawn up, and will be found recorded on our Public Consultations,† transmitted by the present despatch.

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EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 11th February 1831.

Par. 5. Your Honourable Court has already been informed that we deemed it our duty to address the Governor of Canton, urging the advantages which must arise to English as well as Chinese interests by the election of more Hong Merchants, who were  
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\* Public Consultations, 25th Feb. 1830.

† Ibid. 25 Jan. 1831.

men of credit and character. We have received a most favourable reply from his Excellency, admitting the justice of our application for the creation of substantial Merchants, and expressing, in language more distinct than is generally characteristic of a Chinese Proclamation, that "the more" there were "the better." A copy of this document will accompany our present despatch. It will become our duty to remind his Excellency of the wisdom of his determination, should any unnecessarily protracted delays take place in the accomplishment of so desirable an object.

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(28.)—RESPECTING THE TRADE IN OPIUM.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 21st November 1821.

Par. 34. ON our Secret Records, under the dates noticed in the margin,\* your Honourable Committee will perceive the measures so frequently threatened by the Chinese Government to check the Opium Trade at this port have been recently renewed.

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35. If we may believe the statements of the Merchants, the intentions of the local government are to be regarded as more determined than they have ever formerly been; but as our communications with the Merchants have as yet been solely confined to a relation of their conferences with the officers of Government upon this subject, and as we have not been officially appealed to, we cannot help expressing our doubts as to the actual extent of the danger impending over the Opium Trade.

36. Your Honourable Committee will perceive, however, that Pinqua has been deprived of his Button, and that the Merchants have been more than usually solicitous with us to interfere in recommending the individuals concerned in this traffic to withdraw their ships from the port.

37. It is no more than natural that men incurring the heavy responsibility of Hong Merchants, and acting in that capacity under a Government the most arbitrary and despotic in the universe, should feel the utmost solicitude at a moment when they are threatened with the heavy visitations of that Government, and we do most sincerely feel for their situations; but we do not conceive it would be either prudent or politic to take any part in this matter, unless it is especially required from us from Government, by a more sufficient communication than messages, and we have hitherto declined all interference.

38. We must beg to refer your Honourable Committee to our Secret Proceedings under the dates alluded to, for the particulars of the communications of the Hong Merchants on this important subject. The origin of the inquiry into the Opium transactions

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actions is variously stated, some asserting it to arise from the personal enmity of the Quongchow Foo to Pinqua, others to the more venal source of desiring to extort money.

39. But to whatever source it owes its rise, the situation of the Merchants has become exceedingly critical, accused on one side of former wilful neglect, they are threatened on the other with the severest punishments if they do not report the ships concerned in this illicit traffic to Government; and such is now become the weight of their responsibility, that they have declared to us they must lodge information against those ships unless they speedily quit the port.

40. They further have intimated to us that in future bonds will be required from the Company's ships, declaring that there is no Opium on board, as well as from every other vessel entering the port, and until such bond is given they will be obliged to decline securing the ship.

41. This question is by no means a novel one to your Honourable Committee; a reference to former proceedings will show that similar demands were made in 1817, and subsequently dropped; such may only be the intention at present, but appearances lead us to believe this demand will be persisted in, and as it is one of an extremely objectionable nature, and if complied with, calculated to establish a precedent of the worst description, we shall feel it our duty to proceed with the utmost caution in assenting to it.

45. Since writing the preceding paragraphs respecting Opium, we have seen the Viceroy's Edict to Peking on the subject of that commerce, and the Merchants have delivered to us a copy of the Viceroy's letter to them respecting it.\* From these documents it will be satisfactory to your Honourable Committee to observe that no imputation is cast upon the Honourable Company's ships for being concerned in this illicit traffic.

46. The measure of compelling the Opium ships to quit the port we conceive must be enforced, if the agents for them have any regard for the safety of the property at stake. The Hong Merchants have reported the names of these ships to Government, and the Viceroy has, in consequence, ordered one half of their regular import cargo to be confiscated, and has refused to allow any return cargo to be shipped, insisting even upon the re-landing of that already sent on board; and we hear that Government have further threatened to send down a force to Whampoa to seal the ships' hatches, and enforce their departure.

47. From all these circumstances your Honourable Committee will both perceive and be able to judge of the determination of the local government to effectually suppress this illicit commerce, and if they firmly pursue their present system, it cannot continue to be carried on as heretofore.

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\* Secret Consultations, 15th and 19th November.

EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 11<sup>th</sup> March 1822.

Par. 16. In our address to your Honourable Committee, per Herefordshire, of the 21st November last, par. 34 and 41, we stated that the measures so frequently threatened by the Chinese Government for checking the Opium trade at this port, had been recently renewed.

17. These measures have been recently persisted in by the Viceroy of Canton, with such a degree of pertinacity, as to occasion the most serious interruption to this important branch of the trade of China.

18. Among the regulations which the Viceroy is endeavouring to establish for preventing the introduction of Opium into China, that one is perhaps of the most serious importance to the continuation of the traffic at Whampoa, which proposes that all foreign ships should be secured by the four Senior Merchants, who are the only opulent and respectable Hong.

19. By this it is meant, that on the arrival of a ship, each of these four Merchants in rotation should give a bond to Government, conveying their responsibility that no Opium is imported in her; and for their more certain security, a counter-bond is required from the commanders or agents of ships before the Merchants give their pledge to Government, without which the ship is not permitted to trade.

20. This regulation is founded upon a plan submitted to Government by the Merchants themselves, which will be found in our Secret Records on the 20th November last. At the period it was recommended by the Merchants, they little imagined it would be productive of all the evils now to be apprehended in its exercise, and we believe they now sincerely lament the opportunity they have thus unwarily afforded Government of practising additional extortion and oppression in their several Hongs.

21. In the 45th paragraph of our letter to your Honourable Committee, per Herefordshire, we stated that the Merchants had intimated to us, that in future bonds would be required from the Honourable Company's ships, in common with every other ship, and that until granted they could not undertake to secure them.

22. Conformably with this intimation, we have now to inform your Honourable Committee that a bond has been demanded from the Commander of the Scaleby Castle, immediately on the arrival of that ship at Whampoa, and the same having hitherto been withheld, that ship, as well as the Vansittart, have not yet been permitted to discharge their cargoes.

23. Your Honourable Committee, in your letter to China of the 8th May 1818, have enjoined our conceding the point of giving bonds, if demanded by the Chinese Government, rather than renew the discussion of 1814 upon this subject, and the spirit of these instructions furnished to us in that letter, according to our interpretation, generally recommend acquiescence in the wishes of this Government. We conceive, however, that these instructions never could have contemplated the pernicious tendency of the affidavits now demanded.



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(E.)

Redress of  
Grievances, &c.

Opium Trade.

24. These affidavits require an extension of security beyond every reasonable limit; namely, that the parties subscribing them should affirm that not the smallest particle of Opium is imported in the ship; and should it so happen that any is hereafter detected, they assent cheerfully to submit to the laws, or in other words, consent to confiscation of property, and expulsion from the port.

25. The cases of the Gunner of the Essex in 1819-20, and the more recent one of the Captain's Steward of the Atlas in the present season, are quite sufficient of themselves to show the impossibility of our being security against the introduction of Opium in our own ships, and the dangerous consequences that might ensue if we consented to subscribe to this affidavit.

26. By the securities now demanded, it will be evident to your Honourable Committee that a very important part of the Hong Merchants' responsibility is virtually transferred to foreigners; and if such an innovation is acceded to, a precedent is established for others which may finally be productive of the worst consequences to the European trade with China.

27. So long as the requisitions with Government were of a nature that did not involve in these consequences serious injury to the Honourable Company's interests, we should have considered it our duty to adhere implicitly to the Honourable Court's Orders of the 5th May 1818; but the present demands are of such an opposite tendency, that we feel it imperative upon us to resist them to the utmost of our ability.

28. We accordingly drew up a temperate remonstrance against such a serious innovation on our trade addressed to the Viceroy and Hoppo, representing to them our anxious wish that the Government will not persist in requiring affidavits from the ships of the Honourable Company, which he has already acquitted of participating in the Opium Trade of this port.

29. We are concerned to inform your Honourable Committee, that this address has not produced any relaxation in the demands of the Viceroy, who desired the Hong Merchants to inform us that he could make no distinction between the Company's ships and those of other foreigners; and that if we could not comply with the regulation respecting affidavits, the two ships now at Whampoa could not remain there.

30. Having only received this reply from the Viceroy yesterday, it is impossible for us, in the present state of this question, to conjecture how it may be terminated; but we hope to be able to convey to your Honourable Committee some more definitive information upon the subject by the ships composing the next despatch.

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**EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Secret Committee of the Court of Directors, dated 19th March 1822.**

Par. 1. IN our last address, dated 11th instant, we stated to your Honourable Committee that his Excellency the Viceroy, in reply to the temperate remonstrance we had addressed to him on the subject of his demand for Opium Bonds from the Honourable Company's ships Scaleby Castle and Vansittart, had informed us generally that he could make

make no distinction between the Company's ships and those of other foreigners, and that the proposed affidavits would be requisite before those ships could be permitted to unload.

2. Some of the observations contained in the reply of the Viceroy affording us an opportunity of again addressing him, we once more had recourse to this measure; and in a letter which we transmitted on the 15th instant, we endeavoured to convince his Excellency of the great unreasonableness of persisting in this requisition from the ships of the Honourable Company, who during their long intercourse with China had never evaded the regular duties of the port, and with respect to Opium, had not only invariably promulgated the Imperial Edicts prohibiting its importation, but also had imposed the strictest penalties on such persons, under their immediate control, who might be detected attempting its introduction.

3. We are now happy to inform your Honourable Committee that the Viceroy, since the receipt of this last communication, has been induced to reconsider and dispense with the requisition for Opium Bonds from the Scaleby Castle and Vansittart, and we are assured by the Merchants that after certain forms of office are complied with, these ships will be permitted to discharge their cargoes and receive their teas without further impediments.

(E.)  
Redress of  
Grievances, &c.  
Opium Trade.

EXTRACT LETTER in the Public Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 27th July 1823.

Par. 18. WE have the honour to enclose to your Honourable Court three edicts received from the different officers of the Canton Government, on the subject of the ships remaining on the coast laden with opium, and our reply thereto. We were desirous to avoid the slightest implication on the part of the Honourable Company, and at the same time not to oppose unnecessary impediments to the trade. The arguments we have taken up, although specious, cannot be maintained, should the Viceroy place any obstacles to our commercial transactions dependent upon the departure of the vessels in question.

19. In the margin we have noted the number and names of the British vessels, † and we are in hopes the government will continue for some time silent and inoffensive. In April

\* Nos. 1 to 3.

† British Ships:	Foreign Brigs
Valetta ..... Bengal.	1 American.
Eugenia ..... Do.	2 Spanish.
Merope ..... Do.	1 Portuguese.
Samarang ..... Bombay.	
Brig Jamesina ..... Do.	

CHINA PAPERS.

(F.)  
 Redress of  
 Grievances, &c.  
 ———  
 Opium Trade.

April last, however, the Viceroy resorted to the usual measure of exacting the responsibility of the trade, by preventing the departure of the Pascoa (the only British vessel then at Whampoa) until the opium vessels departed from their places of resort on the coast; and should he in the present season adopt a similar line of conduct in regard to the Honourable Company's ships, and our remonstrances prove of no effect, in obedience to the orders of your Honourable Court to that purport, we must require the departure of those vessels so long as they afford any impediment to the commercial proceedings of the Honourable Company.

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EXTRACT LETTER in the Secret Department, from the SELECT COMMITTEE at Canton to the Court of Directors, dated 6th February 1824.

Par. 81. WE have at different periods entered upon our Public Consultations, the several edicts that have been issued by the Canton Government for the expulsion of the opium ships from the coast of China. The only instance in which they have lately acted up to their declaration, was in the month of May last, when a country ship at Whampoa was precluded from trading until the departure of the only British ship then engaged in that commerce from the coast.

82. Our representations to the local government at that period, and previously, of our inability to compel ships to depart from the coast that had not reported themselves, or even entered the port, was attended with the result that in the edicts that were issued on the subject, the omission of our names was for some time noticed, until a recent address was received from the Hoppo, in which it was distinctly stated that the commerce of the Honourable Company would be considered implicated in any accidents that might arise in the prosecution of the traffic in opium on board of ships bearing the English flag; and that the representatives of other nations would be held responsible in a similar manner for accidents occurring amongst the opium ships bearing their respective flags.

83. We considered it a proper precautionary measure to address the Bengal Government with all the information we could collect upon the subject, and at the same time to inform them of the injunctions of your Honourable Court that we should on no account permit the opium trade to interfere with the regular process of our commercial transactions; but that in the event of such a circumstance arising, we should be necessitated to exert our influence and power to demand the departure of the ships thus employed, should such an object be made necessary previous to the removal of any obstacles the Chinese Government might oppose to the commerce of the Honourable Company.

84. We are, however, induced to hope that the distinction is now understood, or rather that it suits the views of the local government to impede the commerce of the country ships, when it is desired to act up to their edicts on the subject, in preference to rendering the Honourable Company responsible in circumstances where they have neither immediate interest nor control.

CORRESPONDENCE relating to the RESIDENCE of EUROPEAN FEMALES in the Company's Factory at Canton, and the Restriction against using Chinese Chair-bearers.

(E.)  
Redress of  
Grievances, &c

Residence of  
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Public Department, 23d October 1830, paragraphs 9 a' 18.  
Ditto ... ditto ... 15th Nov..... 57 a' 61.  
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For these paragraphs, see the Letters adverted to, presented to the Select Committee the 12th July 1831, pp. 440 to 445 of this Appendix.

CORRESPONDENCE relating to the DEATH of Mr. MACKENZIE.

Public Department, 23d October 1830, paragraphs 1 a' 8, 14, 15 and 18.

For these paragraphs, see the Letter adverted to, presented to the Select Committee the 12th July 1831, pp. 467, 411, 412 of this Appendix.

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# **THIRD APPENDIX**

**TO THE**

## **THIRD REPORT**

**FROM THE**

**SELECT COMMITTEE OF THE HOUSE OF COMMONS,**

**AND**

## **MINUTES OF EVIDENCE**

**ON THE**

**.**

**AFFAIRS OF THE EAST-INDIA COMPANY.**

**17th FEBRUARY to 6th OCTOBER 1831.**





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# THIRD APPENDIX.

## EXTERNAL AND INTERNAL COMMERCE OF BENGAL, MADRAS, AND BOMBAY.

(1.)

### REPORT ON THE EXTERNAL AND INTERNAL COMMERCE OF BENGAL,

For the Year 1828-29, that is, from 1 May 1828 to 30 April 1829.

1. THE Statement that follows exhibits the Gross Amount of the External Commerce of Bengal, for the Year 1828-29, at sicca rupees 8,91,40,258 ; or in British currency, at the exchange it has hitherto been usual to assume, at £11,142,532 sterling: of this aggregate, Imports comprehend sicca rupees 3,70,95,106 ; and Exports, sicca rupees 5,20,45,152 ; subdivided as under:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports and  
Exports.

#### Imports :

S. Rs. 3,70,95,106	{	Of the Honourable Company's	..	..	S. Rs. 18,85,900
		Private-Trade	..	..	.. 3,52,09,206

#### Exports :

S. Rs. 5,20,45,152	{	On account of the Honourable Company..	S. Rs. 1,66,71,594
		Private-Trade .. ..	.. 3,53,73,558

S. Rs. 8,91,40,258 :

as expressed in the following: *viz.*

# 690 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Imports and  
Exports.

						Private-Trade.	Hon. Company's Trade.	TOTAL.
Imports :								
Merchandise	..	..	..	..	..	3,00,40,816	1,51,916	3,01,92,732
Treasure	..	..	..	..	..	51,68,390	17,33,984	69,02,374
Total	..	S. Rs.				3,52,09,206	18,85,900	3,70,95,106
Exports :								
Merchandise	..	..	..	..	..	3,39,10,365	1,63,71,594	5,02,81,959
Treasure	..	..	..	..	..	14,63,193	3,00,000	17,63,193
Total	..	S. Rs.				3,53,73,558	1,66,71,594	5,20,45,152
GRAND TOTAL	..	S. Rs.				7,05,82,764	1,85,57,494	8,91,40,258
£. Sterling	..					8,822,845	2,319,687	11,142,532

2. The result of the year compared with that of the preceding was a gross decrease in value of sicca rupees 1,70,67,009; being, upon Imports, sicca rupees 51,04,070; and on Exports, sicca rupees 1,19,62,939, as more particularly shown in the following Statement :

	PRIVATE-TRADE.			H. C. TRADE.			GRAND TOTAL.	Increase.	Decrease.
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL			
1827-28 :	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.	S. Rs.		
Imports ..	2,76,49,255	1,26,24,711	4,02,73,966	3,48,312	15,76,898	19,25,210	4,21,99,176		
Exports ..	3,89,94,428	10,22,267	4,00,16,695	2,05,32,676	34,58,720	2,39,91,396	6,40,08,091		
TOTAL	6,66,43,683	1,36,46,978	8,02,90,661	2,08,80,988	50,35,618	2,59,16,606	10,62,07,267		
1828-29 :									
Imports ..	3,00,40,816	51,68,390	3,52,09,206	1,51,916	17,33,984	18,85,900	3,70,95,106		
Exports ..	3,39,10,365	14,63,193	3,53,73,558	1,63,71,594	3,00,000	1,66,71,594	5,20,45,152		
TOTAL :	6,39,51,181	66,31,583	7,05,82,764	1,65,23,510	20,33,984	1,85,57,494	8,91,40,258		
Increase ..	—	—	—	—	—	—	—		
Decrease ..	26,92,502	70,15,395	97,07,897	43,57,478	30,01,634	73,59,112	1,70,67,009		

Decrease in External Commerce of 1828-29 .. .. . 1,70,67,009

3. This Statement, separated into the two Trades of the Commerce of Bengal, shows the Honourable Company's at the comparative decrease of sicca rupees 73,59,112, and the Private, of sicca rupees 97,07,897.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports and  
Exports.

HONOURABLE COMPANY'S TRADE:						
Import Merchandize decrease	..	..	..	..	1,96,396	
Export .. ditto .. ditto	..	..	..	..	41,61,082	
Total .. S. Rs.					43,57,478	
Export Treasure decrease	..	..	..	31,58,720		
Import Treasure increase	..	..	..	1,57,086		
Decrease in Treasure ..					30,01,634	
Net Decrease in the Honourable Company's External Trade						73,59,112
PRIVATE TRADE:						
Export Merchandize decrease	..	..	..	50,84,063		
Import .. ditto .. increase	..	..	..	23,91,561		
					26,92,502	
Import Treasure decrease	..	..	..	74,56,321		
Export .. ditto increase	..	..	..	4,40,926		
					70,15,395	
Net Decrease in Private Trade						97,07,897
Net Decrease in External Commerce of 1828-29 ..					S. Rs.	1,70,67,009

4. The fluctuation that may be particularly noticed is in Treasure ; the decrease in the value of which forms the principal part of the comparative deficiency of the year 1828-29.

5. The following affords an abstract view of the Commerce of Bengal, from the year 1820-21, comprehending a period of nine years. The Average of this Statement gives the annual value of Imports at sicca rupees 4,10,11,460 ; and of Exports at sicca rupees 5,94,51,684.

IMPORTS.				EXPORTS.		
YEARS.	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.
1820-21 ..	2,24,45,163	2,40,71,335	4,65,16,498	5,68,03,248	12,29,363	5,80,32,611
1821-22 ..	2,59,03,599	2,21,49,437	4,80,53,036	5,35,53,123	1,23,96,395	6,59,49,518
1822-23 ..	2,68,66,535	1,72,89,382	4,41,55,917	6,18,51,480	51,51,966	6,70,03,446
1823-24 ..	2,61,98,443	1,31,69,214	3,93,67,657	5,05,45,292	1,22,53,039	6,27,98,331
1824-25 ..	2,86,55,916	1,21,42,271	4,07,98,187	5,26,16,355	34,91,676	5,61,08,031
1825-26 ..	2,14,98,729	1,50,58,005	3,65,56,734	5,66,39,922	1,38,704	5,67,78,626
1826-27 ..	2,17,60,679	1,26,00,153	3,43,60,832	5,12,26,319	11,15,032	5,23,41,351
1827-28 ..	2,79,97,567	1,42,01,609	4,21,99,176	5,95,27,104	44,80,987	6,40,08,091
1828-29 ..	3,01,92,732	69,02,374	3,70,95,106	5,02,81,959	17,63,193	5,20,45,152
Total of 9 years, S. Rs. }	23,15,19,363	13,75,83,780	36,91,03,143	49,30,44,802	4,20,20,355	53,50,65,157
Average per Year	2,57,24,374	1,52,87,086	4,10,11,450	5,47,82,755	46,68,929	5,94,51,684

# 632 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Bullion imported.

6. The gross value of Bullion or Treasure, imported in the year 1828-29, amounted to sicca rupees 69,02,374; of which the Honourable Company's was sicca rupees 17,33,984; and Private Importations, sicca rupees 51,68,390; and which, compared with the result of the previous year, gives a decrease of sicca rupees 72,99,235; comprehended in an increase of sicca rupees 1,57,086 in the Honourable Company's Importations, and a decrease in that of the Private Trade of sicca rupees 74,56,321.

7. The Statement that follows shows, that the fluctuations in the Importation of Bullion have attached chiefly to those Ports of our External Commerce from which our supplies of it were hitherto principally drawn, namely, from Portugal and the Brazils, from which there were no receipts in the year under notice. The supply from France fell short of the valued importation of the previous year, sicca rupees 4,34,730; from America, sicca rupees 1,53,228; from the Coast of Sumatra, sicca rupees 34,961; from New South Wales, by the absence of importation, sicca rupees 69,083; from the Arabian and Persian Gulf, sicca rupees 5,75,941; from Java, sicca rupees 4,70,510; from Pegue, sicca rupees 2,96,107; from the Mauritius, sicca rupees 27,250; and from China, sicca rupees 50,37,720. The increase to counterbalance the catalogue of deficiencies is noticed in a partial augmentation of the value of bullion imported on account of the Honourable Company from the United Kingdom; in the receipts from the South-western Coast of South America; from the Coasts of Coromandel and Malabar; from Penang and Eastward; from Manilla, and from the Cape of Good Hope.

## Bullion and Treasure Imports by Sea.

	1827-28.		1828-29.	
	H. C. Trade.	Private Trade.	H. C. Trade.	Private Trade.
United Kingdom .. .. .	—	73,620	2,46,414	1,687
France .. .. .	—	9,28,546	—	4,93,816
Portugal .. .. .	—	1,10,925	—	—
America .. .. .	—	17,21,217	—	15,67,989
Brazils .. .. .	—	10,75,000	—	—
South America .. .. .	—	20,250	—	2,10,645
Coast of Coromandel .. .. .	—	61,877	—	1,31,561
Coast of Malabar .. .. .	—	150	—	1,12,287
Coast of Sumatra .. .. .	—	34,961	—	—
New South Wales .. .. .	—	69,083	—	—
Arabian and Persian Gulfs .. .. .	—	8,60,241	—	2,84,300
Penang and Eastward .. .. .	—	1,68,823	—	4,93,533
Java .. .. .	—	4,86,338	—	15,828
Manilla .. .. .	—	14,549	—	24,750
China .. .. .	—	64,18,027	—	13,80,307
Pegue .. .. .	15,76,898	5,47,354	14,87,570	3,40,575
Mauritius .. .. .	—	33,750	—	6,500
Cape of Good Hope .. .. .	—	—	—	4,612
<b>TOTAL .. S. Rs.</b>	<b>15,76,898</b>	<b>1,26,24,711</b>	<b>17,33,984</b>	<b>51,68,390</b>
<b>Deduct ..</b>	<b>—</b>	<b>51,68,390</b>	<b>15,76,898</b>	<b>—</b>
<b>Net .. S. Rs.</b>	<b>—</b>	<b>74,56,321</b>	<b>1,57,086</b>	<b>—</b>

Decrease in Private Treasure .. .. .	74,56,321
Deduct in Honourable Company's Treasure .. .. .	1,57,086
Net Decrease in .. .. .	S. Rs. 72,99,235

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

8. Of Merchandize the gross value of Imports was sicca rupees 3,01,92,732; of which the Honourable Company's cargoes amounted to sicca rupees 1,51,916, and the Private Trade, sicca rupees 3,00,40,816, being an improvement of sicca rupees 21,95,165. Compared with the importations of the previous or year 1827-28, there was an increase of sicca rupees 23,91,561 on the value of the Private Trade, and a decrease of sicca rupees 1,96,396 on that of the Honourable Company.

Bullion imported

9. The aggregate of Exports during the year under consideration was sicca rupees 5,20,45,152, which, compared with the preceding year 1827-28, shows a decrease of sicca rupees 1,19,62,939.

Bullion exported.

10. The exportation of Bullion or Treasure, in the year 1828-29, amounted to sicca rupees 17,63,193, which, compared with that of the previous year, makes a deficiency of sicca rupees 27,17,794.

11. The exportation of Bullion on Private Trade amounted to sicca rupees 14,63,193, and on account of the Honourable Company to sicca rupees 3,00,000, the former at a comparative increase of sicca rupees 4,40,926, the latter at sicca rupees 31,58,720 less than the shipments of 1827-28.

12. Exportation of Bullion on account of the Honourable Company, in the year 1828-29, appears to have been only, to Penang and Eastward, to the extent of sicca rupees 3,00,000; the value of Treasure shipped on Private account, to the United Kingdom, was sicca rupees 12,41,443, being a surplus on the exports to the same place, and in the same account, of the year 1827-28, sicca rupees 5,34,164.

13. The increased shipment of bullion to Great Britain was superinduced by the precarious out-turn of produce in the English markets, and the failure of funds from this cause in England, which narrowed the amounts of drafts on Europe from this country. The course of the exchange of bills on London, during the year, was at 1s. 10½d. the sicca rupee; and rupees on shipment yielded in London a remittance of nearly 2s. the rupee.

14. The difference between the value of Treasure imported and exported in 1828-29 is sicca rupees 51,39,181, the former surplus of the latter.



( 1.)  
Bengal.

**Bullion exported.**

**Indigo.**

16. Of the aggregate of merchandize imported in the year under notice, the Honourable Company's trade involved sicca rupees 1,63,71,594; and the Private, sicca rupees 3,89,10,365; both comparatively less than the value of shipments in 1827-28; the former, sicca rupees 41,61,082; and the latter, sicca rupees 50,81,063.

17. The quantity of this article imported from the interior, during the season of 1828-29, was F. maunds 98,009, which, compared with the preceding year 1827-28, exhibits a deficiency of F. maunds 53,690: the average of the last four years gives the annual importation at F. maunds 121,483 $\frac{1}{2}$ .\*

* Statement of Four Years' Produce.						
1825-26	F. Maunds	..	..	..	..	1,56,548
1826-27	—	..	..	..	..	79,678
1827-28	—	..	..	..	..	1,51,699
1828-29	..	..	..	..	..	98,009
Total F. Maunds		..	..	..	..	4,85,934
Average per Year, F. Maunds		..	..	..	..	1,21,483½

18. The amount quantity of exportation, in the year under notice, was F. maunds 102,414; which, compared with the preceding year, is short by F. maunds 44,195. The exports of the year, compared with its imports, show surplus of F. maunds 4,405; but this may be accounted for by parts of the imports of one year entering into the exports of another.

19. The quantity of Indigo purchased, in the year under notice, on account of the Honourable Company, amounted to F. maunds 11,159, and in value to sicca rupees 30,66,877; being F. maunds 15,407, and sicca rupees 41,00,458, less than the provision for the year 1827-28. The prices paid by the Honourable Company, for the supply of 1828-29, average sicca rupees 274. 13. 4, which we find to have been sicca rupees 5. 0. 8. per maund below those of the preceding year.

20. The following Statement exhibits the details of the exportation; the effect of the comparative short crop, of course, chiefly affected our arrangements with Great Britain, to which the yearly surplus produce is transmitted; the range of speculation from hence to other ports is very limited.

Indigo Exported by Sea.

					1827-28.		1828-29.	
					Factory Maunds.	Value.	Factory Maunds.	Value.
Honourable C. Trade .. ..	..	..	..	..	26,566	71,67,335	11,159	30,66,877
Private Ditto .. ..	..	..	..	..	83,825	83,82,258	63,737	63,73,795
United Kingdom .. ..	..	..	..	..	1,10,391	1,55,49,593	74,896	94,40,672
France .. ..	..	..	..	..	22,187	22,18,756	19,067	19,06,709
Sweden .. ..	..	..	..	..	355	35,503	345	34,513
Portugal .. ..	..	..	..	..	144	14,428	—	—
America .. ..	..	..	..	..	8,487	8,48,779	4,759	4,75,899
Brazils .. ..	..	..	..	..	—	—	176	17,603
Coast of Malabar .. ..	..	..	..	..	177	17,704	102	10,286
Arabian and Persian Gulfs .. ..	..	..	..	..	4,642	4,64,197	3,062	3,06,285
Penang and Eastward .. ..	..	..	..	..	9	888	7	675
China .. ..	..	..	..	..	97	9,726	—	—
Pegue .. ..	..	..	..	..	8	793	—	—
Mauritius .. ..	..	..	..	..	112	11,239	—	—
Deduct .. ..					1,46,609	1,91,71,606	1,02,414	1,21,92,642
					1,02,414	1,21,92,642		
Less in 1828-28 .. ..					44,195	69,78,964		

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Indigo.

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.  
Indigo.

	1827-28.			1828-29.		
	Factory Maunds.	Value.	Average Price per Maund.	Factory Maunds.	Value.	Average Price per Maund.
H. C. Trade ..	26,566	71,67,35	269. 12. 8.	11,159	30,66,877	274. 13. 4.
Private Ditto ..	120,043	1,20,04,271	100. 0 0	91,255	91,25,765	100. 0 0

21. Proportioned to the shortness of the crop was its exportation to the United Kingdom. It seems to have been F. maunds 35,495 less than the quantity shipped in the preceding year; of which, as already noticed, the Honourable Company's investments partook of F. maunds 15,407, and the Private Trade, F. maunds 20,088; the provision for France was F. maunds 3,120 less than that of 1827-28; of America, or the United States, F. maunds 3,728; and the Arabian and Persian Gulfs, F. maunds 1,580. Of the minor traders in the article of Indigo, Sweden is found at 10 F. maunds less than the quantity of the preceding year; Portugal, from the absence of shipments, F. maunds 144; the Coast of Malabar, F. maunds 75; Penang and Eastward, F. maunds 2; and from there having been no shipments made to China, Pegue, and the Mauritius, the comparative deficiency in their aggregate is F. maunds 217. The Brazils called for a supply of F. maunds 176, and, owing to no shipment having been made there in the previous year, stands as a solitary instance of increase in the year 1828-29.

22. There is occasionally an importation also by sea of the article; but of course to a very limited extent. Whatever is brought here becomes subsequently mixed up again with our exports. The following is a Comparative Statement of the Imports of Foreign Indigo during the years 1827-28 and 1828-29. The importation from the Mauritius consisted of Indigo, sent for sale from hence, and afterwards brought back to this Port.

## Indigo Imports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
Coast of Coromandel .. ..	61	6,891	209	20,902
Coast of Malabar .. ..	—	—	115	11,530
Pegue .. ..	12	1,205	3	289
Mauritius .. ..	—	—	16	1,607
	73	8,096	343	34,328
Deduct .. ..			73	8,096
Excess in 1828-29 .. ..			270	26,232

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 637

23. We subjoin a Statement showing the Imports, from the Interior, of Indigo, for the last nine years, and fear, from review of it, that this branch, the most important of our trade, is carried a great deal too far, and beyond the action of real capital, so that any great reduction in the price here, or in Europe, must be productive of serious consequences to such as are engaged in it.

							F. Maunds.
1820-21	..	..	..	..	..	..	76,254
1821-22	..	..	..	..	..	..	92,848
1822-23	..	..	..	..	..	..	112,606
1823-24	..	..	..	..	..	..	80,315
1824-25	..	..	..	..	..	..	110,227
1825-26	..	..	..	..	..	..	156,548
1826-27	..	..	..	..	..	..	79,678
1827-28	..	..	..	..	..	..	151,699
1828-29	..	..	..	..	..	..	98,009
F. Maunds							958,184

EXTERNAL  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.  
Indigo.

24. The Importation of Raw Silk from the Interior, in the year 1828-29, amounted to B. maunds 21,528, value sicca rupees 1,01,24,577; being B. maunds 7,298, value sicca rupees 23,42,367, above the transactions of the preceding year.

25. The quantity exported amounted to B. maunds 19,968, value sicca rupees 95,61,172, which, compared with the shipments of the previous year, shows an increase of B. maunds 4,732, value sicca rupees 10,07,185, as per following statement:

## Raw Silk Exports by Sea.

				1827-28.		1828-29.	
				B. Maunds.	Value.	B. Maunds.	Value.
H. C. Trade	..	..	..	12,538	78,63,080	13,609	78,39,654
Private ditto	..	..	..	1,139	3,15,592	5,114	14,09,170
United Kingdom	..	..	..	13,677	81,78,672	18,723	92,48,824
Coast of Coromandel	..	..	..	685	1,83,917	779	2,06,774
Coast of Malabar	..	..	..	766	1,70,867	465	1,05,277
Arabian and Persian Gulfs	..	..	..	43	2,800	1	297
Mauritius	..	..	..	65	17,731	—	—
				15,236	85,53,987	19,968	95,61,172
				Deduct	.. ..	15,236	85,53,987
Excess in 1828-29				.. ..		4,732	10,07,185

Raw Silk.

# 638      THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Raw Silk.

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
H. C. Trade ..	12,583	78,63,080	15. 9. 11.	13,609	78,39,654	14. 6 5.
Private Individuals	3,653	6,90,907	6. 8. 2.	6,359	17,21,518	6. 12. 3½

26. The comparison of the year 1828-29, with the preceding, shows in our shipments to Great Britain an increase of B. maunds 5,046, value sicca rupees 10,70,152; made up by an excess in the Honourable Company's Investments of B. maunds 1,071; but a reduction in value of sicca rupees 23,426, and an augmentation in the Private Trade of B. maunds 3,975, value sicca rupees 10,93,578. In the exportations to the Coast of Coromandel, there was an excess of B. maunds 94, value sicca rupees 22,857.

27. A comparative deficiency occurred in the following cases: in our shipments to the Coast of Malabar of B. maunds 301, value sicca rupees 65,590; to the Arabian and Persian Gulfs of B. maunds 42, value sicca rupees 2,503; and to the Mauritius, from the absence of exportation, of B. maunds 65, value sicca rupees 17,731.

28. In the year under consideration there was no shipment of raw silk to France, nor to Ceylon, nor Pegue, and only one maund was consigned to the Arabian and Persian Gulfs.

29. The Honourable Company's investment, for the year 1828-29, was laid in at a valuation of sicca rupees 14. 6 5. per seer, being sicca rupees 1. 3. 6. per seer below the purchases of the previous year. This will account for the deficiency of value on the augmented exportation noticed above. The Private provision appears to have been effected at an average price of sicca rupees 12. 15. per bazar seer.

Cotton Piece  
Goods.

30. The Importation of this article of our manufacture from the Interior, in the year 1828-29, was 1,698,803 pieces, value sicca rupees 36,97,362, being, by comparison, pieces 173,515, and value sicca rupees 7,17,369, below that of the preceding year.

31. The total Export was pieces 828,153, value sicca rupees 21,36,004, which is a decline of pieces 179,894, value sicca rupees 6,20,164; compared with the year 1827-28, as exhibited in the following Statement:

Cotton

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 639

## Cotton Piece Goods Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Cotton Piece  
Goods.

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
Honourable Company's Trade ..	47,660	2,95,056	27,563	1,66,428
Private Trade .. .. .	2,994	10,627	5,063	26,582
United Kingdom .. .. .	50,654	3,05,683	32,626	1,93,010
Portugal .. .. .	54,002	1,39,699	20,045	60,802
America .. .. .	10,521	21,985	23,780	72,594
Brazils .. .. .	115,101	4,34,024	175,125	5,36,077
Coast of Coromandel .. .. .	11,864	21,788	2,591	5,282
Coast of Malabar .. .. .	17,325	13,318	6,392	21,322
Coast of Sumatra .. .. .	2,816	4,651	—	—
Ceylon .. .. .	220	220	25	200
New South Wales .. .. .	11,816	27,124	3,118	5,498
Arabian and Persian Gulfs ..	205,023	5,52,650	160,095	4,23,107
Penang and Eastward .. .. .	140,814	3,32,156	217,144	4,22,594
Java .. .. .	160,018	3,87,834	17,019	39,031
Manilla .. .. .	45,121	1,07,917	—	—
China .. .. .	56,912	1,42,953	75,424	1,89,812
Pegue .. .. .	13,335	28,443	18,623	36,076
Maldiv Islands .. .. .	216	837	61	132
Mauritius .. .. .	48,238	1,12,919	26,517	53,437
Cape of Good Hope .. .. .	64,051	1,03,967	49,568	77,030
	1,008,047	27,56,168	828,153	21,36,004
Deduct .. .. .	828,153	21,36,004		
Less in 1828-29 .. .. .	179,894	6,20,164		

	1827-28.			1828-29.		
	Pieces.	Value.	Average Price per Piece.	Pieces.	Value.	Average Price per Piece.
H. C. Trade ..	47,660	2,95,056	6. 3½	27,563	1,66,428	6. 0. 7.
Private Trade ..	960,387	24,61,112	2. 9½	800,590	19,69,576	2. 7. 4½

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.Cotton Piece  
Goods.

32. The results of the above are a decrease in our shipments to the following ports or places: To the United Kingdom, in the Honourable Company's investments, pieces 20,097, value sicca rupees 1,28,628; to Portugal, pieces 33,957, value sicca rupees 78,897; to the Coast of Coromandel, pieces 9,273, value sicca rupees 16,506; to the Coast of Malabar, pieces 10,933, value sicca rupees 9,996; to Sumatra, pieces 2,816, value sicca rupees 4,651; to Ceylon, pieces 195, value sicca rupees 20; to New South Wales, pieces 8,698, value sicca rupees 21,626; to the Arabian and Persian Gulfs, pieces 44,928, value sicca rupees 1,29,543; to Java, pieces 142,999, value sicca rupees 3,48,803; to Manilla, pieces 45,121, value sicca rupees 1,07,917; to the Maldive Islands, pieces 155, value sicca rupees 705; to the Mauritius, pieces 21,721, value sicca rupees 59,482; to the Cape of Good Hope, pieces 14,483, value sicca rupees 26,937.

33. Increase has been experienced in the following: in the Private Trade to the United Kingdom, pieces 2,069, value sicca rupees 15,955; on Exports to America, pieces 13,259, value sicca rupees 50,609; to the Brazils, of pieces 60,024, value sicca rupees 1,20,053; to Penang and Eastward, pieces 76,330, value sicca rupees 90,438; to China, of pieces 18,512, value sicca rupees 46,859; to Pegue, pieces 5,288, value sicca rupees 7,633.

34. The trades in which the greatest falling off appears are the Honourable Company's to the United Kingdom, that with Portugal, with the Arabian and Persian Gulfs, Java, Manilla, the Mauritius, and the Cape of Good Hope.

35. We have before noticed the causes of the decline of this trade.

36. The Honourable Company's investments of Cotton Piece Goods, in the year under notice, averaged sicca rupees 6. 0. 7. per piece; the Private Trade, sicca rupees 2. 7. 4½ per piece. The first is annas 2. 5. per piece below the provision price of the year 1827-28, and the other anna 1. 8. per piece.

Silk Piece Goods.

37. The Importations of this Manufacture from the Interior, as entered at the Inland Custom-house, amounted to pieces 456,714, value sicca rupees 23,40,193, being a comparative excess in the year 1827-28 of 1,886 pieces, but a decrease in value of sicca rupees 2,85,938: this discrepancy between quantity and value is ascribable to the importation having principally consisted of inferior goods: of it 86,500 pieces, valued at sicca rupees 8,36,833, were of the Honourable Company's investments; the rest, or 3,70,214 pieces, value sicca rupees 15,03,360 was imported on Private account.

38. The Exportation consisted of 393,146 pieces, value sicca rupees 20,43,864, being a decline of 14,226 pieces, value sicca rupees 4,75,042, on the result of the preceding year.

Silk

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 641

## Silk Piece Goods Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Silk Piece Goods.

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
Honourable Company's Trade ..	67,399	7,34,633	60,022	6,21,352
Private Trade .. .. .	86,578	5,66,541	33,327	2,12,863
United Kingdom .. .. .	153,977	13,01,174	93,529	8,34,215
France .. .. .	314	3,140	961	8,169
Sweden .. .. .	—	—	80	620
Portugal .. .. .	2,093	15,466	1,050	6,975
America .. .. .	94,516	4,14,709	170,766	5,80,720
Brazils .. .. .	221	2,002	421	3,400
South America .. .. .	—	—	1,040	7,290
Coast of Coromandel .. ..	8,742	44,053	16,495	70,934
Coast of Malabar .. .. .	88,846	4,71,444	68,878	3,60,891
Coast of Sumatra .. .. .	1,408	5,439	—	—
Ceylon .. .. .	529	2,971	—	—
New South Wales .. .. .	1,067	7,697	1,030	7,979
Arabian and Persian Gulfs ..	44,777	1,87,559	33,499	1,30,217
Penang and Eastward .. ..	590	2,829	954	6,360
Java .. .. .	33	173	29	89
Manilla .. .. .	174	1,349	—	—
China .. .. .	315	2,809	274	1,947
Pegue .. .. .	3,716	19,297	1,559	8,451
Maldiv Islands .. .. .	20	60	—	—
Mauritius .. .. .	4,822	26,904	2,204	13,257
Cape of Good Hope .. ..	1,212	9,831	377	2,350
	407,372	25,18,906	393,146	20,43,864
Deduct .. .. .	393,146	20,43,864		
Less in 1828-29 .. ..	14,226	4,75,042		

	1827-28.			1828-29.		
	Pieces.	Value.	Average Price per Piece.	Pieces.	Value.	Average Price per Piece.
H. C. Trade ..	67,399	7,34,633	10. 14. 4½	60,202	6,21,352	10. 5. 1½
Private Trade ..	339,973	17,84,273	5. 4. 0	332,944	14,22,512	4. 4. 4½



EXTERNAL.  
AND INTERNAL  
COMMERCE.

(1.)

Bengal.

Silk Piece Goods.

39. Comparing the operations of 1827-28 and 1828-29, there was a decline on the exportations to the United Kingdom of 60,448 pieces, value sicca rupees 4,66,959: made up of 7,197 pieces, value sicca rupees 1,13,281, on account of the Honourable Company; and 53,251 pieces, value sicca rupees 3,53,678 on Private shipments; of 1,013 pieces, value sicca rupees 8,491, on shipments to Portugal; of 19,968 pieces, value sicca rupees 1,10,553, to the Coast of Malabar; of 1,408 pieces, value sicca rupees 5,439, to the coast of Sumatra; of 529 pieces, value sicca rupees 2,971, to Ceylon; of 37 pieces, to New South Wales; 11,278 pieces, value sicca rupees 57,342, to the Arabian and Persian Gulfs; 4 pieces, value sicca rupees 84, to Java; 174 pieces, value sicca rupees 1,349, to Manilla; 41 pieces, value sicca rupees 862, to China; 2,157 pieces, value sicca rupees 10,846, to Pegue; 20 pieces, value sicca rupees 60, to the Maldiv Islands; 2,618 pieces, value sicca rupees 13,647, to the Mauritius; 835 pieces, value sicca rupees 7,481, to the Cape of Good Hope.

40. The trade in which there was an increased export, was that of 647 pieces, value sicca rupees 5,029, to France; to Sweden, of 80 pieces, value sicca rupees 620; to America, of 76,250 pieces, value sicca rupees 1,66,011; to the Brazils, of 200 pieces, value sicca rupees 1,398; to South America (S.W. coast of), of pieces 1,040, value sicca rupees 7,290; to the coast of Coromandel, 7,753 pieces, value sicca rupees 26,881; and to Penang and eastward, of pieces 364, value sicca rupees 3,531.

41. The Honourable Company's investments in silk piece goods appear to have been laid in at an average of sicca rupees 10. 5. 1½. per piece, and the Private at sicca rupees 4. 4. 4½. per piece; the former being annas 9. 3¼ per piece, and the latter annas 15. 7¾ below the provision for the year 1827-28. The average price of the shipments to the United States of America was sicca rupees 3. 6. 4. per piece.

42. The importation of this product from the Interior, as declared at the inland custom-house, was bazar maunds 532,232, value sicca rupees 43,15,256; of which the Honourable Company's investment contained B. maunds 188,252, value sicca rupees 15,31,659, and the private trade, B. maunds 343,980. The comparative difference in importation was in excess of B. maunds 262,200, value sicca rupees 21,77,284, in the year 1828-29.

43. The exportation of sugar, in the year 1828-29, amounted to B. maunds 429,723, value sicca rupees 36,66,338, which, compared with the preceding year, is an increase of B. maunds 218,034, value sicca rupees 19,10,301, as shown in the following statement:

Sugar

Sugar Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Sugar.

	1827-28.		1828-29.	
	B. Maunds.	Value.	B. Maunds.	Value.
Honourable Company's Trade ..	109,482	9,56,854	171,466	16,09,397
Private Ditto .. ..	48,683	3,69,625	83,059	6,62,122
United Kingdom .. ..	158,165	13,26,479	254,525	22,71,519
France .. ..	3,258	26,075	7,462	59,750
Sweden .. ..	5,199	41,575	15,719	1,25,708
America .. ..	530	4,234	12,152	97,214
South America .. ..	—	—	10,784	86,275
Coast of Coromandel .. ..	4,429	35,531	5,328	41,843
Coast of Malabar .. ..	12,941	1,04,437	62,524	4,93,410
Ceylon .. ..	109	859	93	744
New South Wales .. ..	1,028	8,228	1,468	11,006
Arabian and Persian Gulfs .. ..	24,134	1,93,351	57,477	4,61,207
Penang and Eastward .. ..	174	1,385	—	—
China .. ..	21	166	35	389
Pegue .. ..	723	5,894	597	4,773
Maldiv Islands .. ..	267	2,127	209	1,670
Mauritius .. ..	272	2,179	1,336	10,685
Cape of Good Hope .. ..	439	3,517	14	145
	211,689	17,56,037	429,723	36,66,338
Deduct .. ..			211,689	17,56,037
Excess in 1828-29 .. ..			218,034	19,10,301

	1827-28.			1828-29.		
	Bazar Maunds.	Value.	Average Price per B. Maund.	Bazar Maunds.	Value.	Average Price per B. Maund.
H. C. Trade ..	109,482	9,56,854	8. 11. 10.	171,466	16,09,397	9. 6. 2.
Private ditto ..	102,207	7,99,183	7. 13. 0½	258,257	20,56,941	7. 15. 5.

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Sugar.

44. Comparing the details of the year 1828-29 with those of the preceding year, an increase in the shipments appear in the following cases: In our transactions with Great Britain, B. maunds 96,360, value sicca rupees 9,45,040; of which the Honourable Company's trade partook B. maunds 61,984, value sicca rupees 6,52,543, and the Private, B. maunds 34,376, value sicca rupees 2,92,497; in the shipments to France, B. maunds 4,204, value sicca rupees 33,675; to Sweden, B. maunds 10,520, value sicca rupees 84,133; to America, B. maunds 11,622, value sicca rupees 92,980, and to South America, B. maunds 10,784, value sicca rupees 86,275; to the coast of Coromandel, of B. maunds 899, value sicca rupees 6,312; the coast of Malabar, of B. maunds 49,583, value sicca rupees 3,88,973; to New South Wales, of B. maunds 440, value sicca rupees 2,778; to the Arabian and Persian Gulfs, of B. maunds 33,343, value sicca rupees 2,67,856; to China, of B. maunds 14, value sicca rupees 223; to the Mauritius, of B. maunds 1,064, value sicca rupees 8,506.

45. A decrease occurred in the following: On exportation to Ceylon, of B. maunds 16, value sicca rupees 115; to Penang and Eastward, from the absence of shipments, of B. maunds 174, value sicca rupees 1,385; to Pegue, of B. maunds 126, value sicca rupees 1,121; to the Maldive islands, of B. maunds 58, value sicca rupees 457; and to the Cape, of B. maunds 425, value sicca rupees 3,372.

46. The Honourable Company's investment of sugar appears to have been provided at the rate of sicca rupees 9. 6. 2. per maund, being annas 10. 4. per maund above the average price of the previous year: the average of private shipment may be assumed at 8. 8. per B. maund, but the valuation given in the Report is at the fixed price of the book of rates.

Saltpetre.

47. According to the inland custom-house, the quantity of saltpetre imported from the interior, in the year 1828-29, was F. maunds 386,233, value sicca rupees 15,90,883; of which the Honourable Company's comprised F. maunds 66,084, value sicca rupees 2,58,589, and the private F. maunds 320,149, value sicca rupees 13,32,294; the comparative result being an excess of F. maunds 50,379, value sicca rupees 2,76,053, in the year under consideration.

48. The exports during the year 1828-29 were F. maunds 376,640, value sicca rupees 16,09,034, which, compared with the previous year, is an excess of F. maunds 20,110, value sicca rupees 1,21,041, as per following statement:

Saltpetre

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Saltpetre.

Saltpetre Exports by Sea.

	1827-28.		1828-29.	
	Factory Maunds.	Value.	Factory Maunds.	Value.
Honourable Company's Trade ..	56,000	2,61,549	114,128	6,00,867
Private ditto .. ..	221,074	8,89,382	169,759	6,40,358
United Kingdom .. ..	277,074	11,50,931	283,987	12,41,225
France .. ..	23,275	1,01,372	41,561	1,61,407
Portugal .. ..	936	3,858	2,116	7,517
America .. ..	29,648	1,21,626	42,336	1,72,449
Coast of Coromandel .. ..	212	1,050	220	979
Coast of Malabar .. ..	3,570	12,640	230	948
New South Wales .. ..	137	731	—	—
Penang and Eastward .. ..	3,839	17,115	1,290	4,639
Java .. ..	—	—	485	1,939
China .. ..	17,496	77,160	3,870	15,803
Peguc .. ..	27	121	37	149
Mauritius .. ..	316	1,389	508	1,979
	356,530	14,87,993	376,640	16,09,034
Deduct .. ..			356,530	14,87,993
Excess in 1828-29 .. ..			20,110	1,21,041

	1827-28.			1828-29.		
	Factory Maunds.	Value.	Average Price per F. Maund.	Factory Maunds.	Value.	Average Price per F. Maund.
H. C. Trade ..	56,000	2,61,549	4. 10. 8½	114,128	6,00,867	5. 4. 3.
Private ditto ..	300,530	12,26,444	4. 1. 3½	262,512	10,08,167	3. 13. 5½

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Saltpetre.

49. We find increased shipments over those of the preceding year to the following places; to the United Kingdom, of F. maunds 6,913, value sicca rupees 90,294; to France, of F. maunds 18,286, value sicca rupees 60,035; to Portugal, of F. maunds 1,180, value sicca rupees 3,659; to America, of F. maunds 12,688, value sicca rupees 50,823; to the coast of Coromandel, of F. maunds 8; to Java, of F. maunds 485, value sicca rupees 1,939; to Pegue, of F. maunds 10, value sicca rupees 28; and to the Mauritius, of F. maunds 192, value sicca rupees 590.

50. There was a decrease again in our exportations to the coast of Malabar of F. maunds 3,340, value sicca rupees 11,692; to New South Wales, of F. maunds 137, value sicca rupees 731; to Penang and Eastward, of F. maunds 2,549, value sicca rupees 12,476; and to China, of F. maunds 13,626, value sicca rupees 61,357.

51. Of the shipments to the United Kingdom, the Honourable Company's present a comparative increase of F. maunds 58,128, value sicca rupees 3,39,318; and the Private trade a decrease of F. maunds 51,315, value sicca rupees 2,49,024.

52. The Honourable Company's investment of saltpetre for the year 1828-29, averaged sicca rupees 5. 4. 3. per F. maund, being annas 9. 6½ per F. maund higher than the provision of the previous year.

Cotton. 53. The amount of importation of this staple produce, in the year 1828-29, was maunds 300,056, being a decrease of quantity on the result of the preceding year by maunds 20,985.

54. Of the above quantity the Honourable Company's investments embraced maunds 206,188; and the private trade maunds 93,868. The former is at a comparative decrease of maunds 7,374; and the latter maunds 13,611.

55. Exportation during the year under notice was also equally scanty; the total of shipments having amounted to maunds 201,083, or maunds 15,001 below the quantity of the previous year.

Cotton

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 647

EXTERNAL  
AND INTERNAL  
COMMERCE

## Cotton Exports by Sea.

(1.)  
Bengal.  
Cotton.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
Honourable Company's Trade ..	13,368	2,33,679	11,644	1,55,639
Private ditto .. .. .	3,690	35,208	2,892	27,332
United Kingdom .. .. .	17,058	2,68,887	14,536	1,82,971
France .. .. .	732	6,088	110	913
Sweden .. .. .	522	4,453	1,282	10,668
Coast of Sumatra .. .. .	182	2,094	—	—
New South Wales .. .. .	—	—	29	584
Penang and Eastward .. .. .	—	—	97	1,011
Honourable Company's Trade ..	194,071	29,52,012	167,523	22,45,429
Private ditto .. .. .	3,519	29,328	17,506	1,46,847
China .. .. .	197,590	29,81,340	185,029	23,92,276
	216,084	32,62,862	201,083	25,88,423
Deduct .. .. .	201,083	25,88,423		
Less in 1828-29 .. .. .	15,001	6,74,439		

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
H. C. Trade ..	207,439	31,85,691	15. 5. 8½	179,167	24,01,068	13. 6. 5.
Private ditto ..	8,645	77,171	8. 14. 10.	21,916	1,87,355	8. 8. 9½

## 648 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Cotton.

56. The comparative results of the foregoing are a decrease in the quantity of exportation in our trade with Great Britain of maunds 2,522; with France, maunds 622; with the coast of Sumatra, maunds 182; and with China, of maunds 12,561. Increase in our shipments to Sweden, maunds 760; to New South Wales, maunds 29; and to Penang and Eastward, maunds 97.

57. The quantity of cotton exported on account of the Honourable Company, in the year 1828-29, was maunds 179,167; and in private trade, maunds 21,916.

58. The Honourable Company's shipments of cotton to Great Britain was maunds 11,644, being maunds 1,724 less than the quantity of the previous year; and to China, of maunds 167,523, or maunds 26,548 below the amount of the year 1827-28.

59. Of the cotton exported to the United Kingdom, on the private trade, the result of the year under notice is maunds 798 below the quantity of 1827-28, and to China, maunds 13,987 above that of the last year.

60. The Honourable Company's cotton appears to have been provided at sicca rupees 13. 6. 5, per maund, which is sicca rupees 1. 15. 3½ per maund below the price of the previous year. The Calcutta market price for the year may be quoted at rupees 13. 8. 4, per maund.

61. The value of cotton has not been noticed, being entered at the custom-house at a fixed valuation of 12. 8. per maund; but assuming the market prices, the value of exportation amounted to sicca rupees 27,18,815.

Grain.

62. The exportation of grain during the year under notice amounted to bazar maunds 1,408,683, being a comparative deficiency of maunds 81,138 on the quantity shipped in the previous year.

Grain

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 649

## Grain Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Grain.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
Honourable Company's Trade ..	10,000	19,366	17,023	37,878
Private ditto .. ..	177,474	3,81,915	234,696	4,77,809
United Kingdom .. ..	187,474	4,01,281	251,719	5,15,687
France .. ..	1,650	2,275	29,924	49,032
Sweden .. ..	1,100	3,015	—	—
Portugal .. ..	4,000	7,750	4,000	10,000
America .. ..	1,000	2,500	—	—
Coast of Coromandel .. ..	72,025	1,06,183	47,203	70,785
Coast of Malabar .. ..	103,552	1,66,595	106,570	1,90,951
Coast of Sumatra .. ..	800	1,350	—	—
Ceylon .. ..	1,700	3,000	4,200	6,588
New South Wales .. ..	1,608	3,290	14,300	22,275
Arabian and Persian Gulfs ..	258,946	3,97,167	156,600	2,47,076
Penang and Eastward .. ..	79,922	1,28,680	41,314	67,679
Java .. ..	20,480	33,071	2,400	4,025
China .. ..	23,369	43,579	2,850	4,075
Pegue .. ..	180,201	2,78,687	33,802	53,728
Maldiv Islands .. ..	33,225	49,300	31,700	48,300
Mauritius .. ..	497,409	7,96,702	664,903	10,86,349
Cape of Good Hope .. ..	21,360	41,712	17,198	27,885
	1,489,821	24,66,137	1,408,683	24,04,435
Deduct .. ..	1,408,683	24,04,435		
Less in 1828-29 .. ..	81,138	61,702		

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
H. C. Trade ..	10,000	19,366	1. 14. 11 $\frac{3}{4}$ .	17,023	37,878	2. 3. 7.
Private ditto ..	1,479,821	24,46,771	1. 10. 5 $\frac{1}{2}$ .	1,391,660	23,66,557	1. 11. 2 $\frac{1}{2}$ .



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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Grain.

63. The comparative details are as follow: Increase on shipments to the United Kingdom of maunds 64,245; to France, of maunds 28,274; to the coast of Malabar, of maunds 3,018; to Ceylon, of maunds 2,500; to New South Wales, of maunds 12,692; and to the Mauritius, of maunds 167,494.

64. A decrease appears in the following cases: in our trade with Sweden, maunds 1,100; with America, maunds 1,000; with the coast of Coromandel, of maunds 24,822; with Sumatra, in the absence of exportation, maunds 800; with the Arabian and Persian Gulfs, 102,346; and Penang and Eastward, maunds 38,608; with Java, maunds 18,080; with China, maunds 20,519; with Pegue, maunds 146,399; with the Maldiv Islands, maunds 1,525; and with the Cape of Good Hope, maunds 4,162.

65. Of the shipments to the United Kingdom, maunds 17,023 are represented as of the Honourable Company's investment, but this was a supply for St. Helena.

66. Assuming the weight of 27 maunds to one ton of grain, the quantity exported in the year under consideration affords employment to 52,000 tons of shipping.

Safflower.

67. The returns of the inland custom-house give the importation of safflower, in 1828-29, at maunds 4,029, value sicca rupees 1,10,878; which, contrasted with the operations of the preceding year, is a deficiency of maunds 1,014, value sicca rupees 14,500.

68. The statement of exports exhibits the quantity at maunds 3,040, value sicca rupees 78,843; which, compared with the year 1827-28, gives a decrease of maunds 2,175, value sicca rupees 51,089, on the amount of shipments.

## Safflower Exports by Sea :

					1827-28.		1828-29.	
					Maunds.	Value.	Maunds.	Value.
United Kingdom	.	..	..	..	1,907	47,988	2,538	66,474
France	..	..	..	..	3,213	79,570	230	5,517
Sweden	..	..	..	..	37	913	—	—
Coast of Sumatra	..	..	..	..	28	693	—	—
Penang and Eastward	..	..	..	..	—	—	232	5,812
Java	..	..	..	..	16	420	10	280
China	..	..	..	..	14	348	—	—
Pegue	..	..	..	..	—	—	30	760
					5,215	1,29,932	3,040	78,843
Deduct	..	..	..	..	3,040	78,843		
Less in 1828-29					2,175	51,989		

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Safflower.

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
Private Trade ..	5,225	1,29,932	24. 14. 7½.	3,040	78,843	25. 14. 11½.

69. An increase appears in the following shipments : To the United Kingdom, maunds 631, value sicca rupees 18,486; to Penang and Eastward, maunds 232, value sicca rupees 5,812; and to Pegue, maunds 30, value sicca rupees 760: whilst decrease occurs in our exports, to France, maunds 2,983, value sicca rupees 71,053; to Sweden, from the absence of shipments, of maunds 37, value sicca rupees 913; to the coast of Sumatra, from the same cause, maunds 28, value sicca rupees 693; to Java, maunds 6, value sicca rupees 140; and to China, of maunds 14, value sicca rupees 348.

70. The market value of safflower, during the year, may be valued at sicca rupees 27 per maund.

71. From the circumstance of this article being free of duty in transit, its importations from the interior are not entered in the inland custom-house.

Lac Dye.

72. The exportations are represented, in the following Statement, at maunds 7,591, valued at sicca rupees 5,49,311; being a deficit on the shipments of the year 1827-28 of maunds 1,586, value sicca rupees 3,03,569.

Lac and Lac Dye Exports by Sea :

					1827-28.		1828-29.	
					Maunds.	Value.	Maunds.	Value.
United Kingdom	..	..	..		8,377	7,74,204	7,219	5,15,429
France	..	..	..	..	772	76,055	351	31,571
America	..	..	..	..	20	1,761	24	2,311
Arabian and Persian Gulfs	..	..			4	160	—	—
Java	..	..	..	..	7	700	—	—
					9,180	8,52,880	7,594	5,49,311
Deduct	..	..			7,594	5,49,311		
Less in 1828-29	..	..			1,586	3,03,569		

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EXTERNAL  
AND INTERNAL  
COMMERCE..

(1.)  
Bengal.  
Lac Dye.

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
Private Trade ..	9,180	8,52,880	92. 14. 6.	7,594	5,49,311	72. 5. 4.

73. The comparative details of the above exhibit a deficiency in our shipments to Great Britain of maunds 1,158, value sicca rupees 2,58,775; to France, of maunds 421, value sicca rupees 44,484; to the Arabian and Persian Gulfs, of maunds 4, value sicca rupees 160; and to Java, of maunds 7, value sicca rupees 700.

74. An increase occurred only on the trade with the United States of America, in which four maunds, value sicca rupees 550, appear to have been shipped in excess of the amount of exportation in 1827-28.

75. The price of lac dye, according to the custom-house entries, averaged sicca rupees 72. 5. 4. per maund: adding to this the allowance that is usually made in valuation at the custom-house, the price will come near to 80 rupees per maund, which may be quoted as the rateable value of lac dye for the year 1828-29.

Shell Lac.

76. The amount of inland importation of shell lac, for the year 1828-29, was maunds 13,571, value sicca rupees 2,11,670, which, compared with the year 1827-28, is an increase of maunds 2,854, value sicca rupees 10,326.

77. Exportations for the year under notice were on the aggregate of maunds 11,440, value sicca rupees 2,07,330; which is an excess of maunds 1,934, value sicca rupees 35,781, compared with the previous year.

Shell

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 653

## Shell Lac Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Shell Lac.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
Honourable Company's Trade ..	—	—	149	4,153
Private Trade .. ..	5,379	99,376	8,011	1,48,447
United Kingdom .. ..	5,379	99,376	8,160	1,52,600
France .. ..	318	6,282	189	3,774
Sweden .. ..	52	232	—	—
America .. ..	2,914	51,179	2,818	46,917
Coast of Coromandel .. ..	—	—	7	100
Coast of Malabar .. ..	843	14,480	62	997
Arabian and Persian Gulfs ..	—	—	96	1,196
Mauritius .. ..	—	—	108	1,746
	9,506	1,71,549	11,440	2,07,330
Deduct .. ..			9,506	1,71,549
Excess in 1828-29 .. ..			1,934	35,781

	1827-28.			1828-29.		
	Maunds.	Value.	Average Price per Maund.	Maunds.	Value.	Average Price per Maund.
H. C. Trade ..	—	—	—	149	4,153	27. 14. 0.
Private Trade ..	9,506	1,71,549	18. 0. 8½	11,291	2,03,177	17. 15. 11.

78. Comparing the details of the two years, an increase appears in our shipments to the United Kingdom of maunds 2,781, value sicca rupees 53,224; to the Coast of Coromandel, of B. maunds 7, value sicca rupees 100; to the Arabian and Persian Gulfs, of maunds 96, value sicca rupees 1,196; and to the Mauritius, of maunds 108, value sicca

# 654 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Shell Lac.

Miscellaneous.  
Shawls.

sicca rupees 1,746 ; and decrease attaches to our Exportations to France, of maunds 129, value sicca rupees 2,508 ; to Sweden, of maunds 52, value sicca rupees 232 ; to America, of maunds 96, value sicca rupees 4,262 ; and to the Coast of Malabar, maunds 781, value sicca rupees 13,483.

79. We notice a shipment of maunds 149, value sicca rupees 4,153, on account of the Honourable Company, in the year under consideration, which is, we believe, the first provision of Shell Lac that has been made on the public account.

80. The operations of the year in respect to Shawls were more favourable than those of the previous year: the quantity imported was 2,283 pieces, value sicca rupees 2,78,332, showing a decrease of 1,711 pieces, but an increase of value by sicca rupees 1,22,515.

81. The Exportations exhibit the like discrepancy ; the quantity shipped was 555 pieces, value sicca rupees 84,704 ; which is a decrease of quantity, compared with the year 1827-28, of 35 pieces, and an excess of sicca rupees 17,819 in value, as shown in the following Statement :

## Miscellaneous: Shawls Exports by Sea.

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
United Kingdom .. .. .	319	41,616	436	74,982
France .. .. .	—	—	4	650
America .. .. .	3	240	—	—
Brazils .. .. .	—	—	78	4,149
Coast of Coromandel .. ..	14	3,680	14	1,086
Ceylon .. .. .	6	150	—	—
New South Wales .. .. .	51	610	1	400
Arabian and Persian Gulfs ..	96	8,268	—	—
Java .. .. .	24	1,162	8	1,284
China .. .. .	17	1,777	—	—
Pegue .. .. .	1	250	3	165
Mauritius .. .. .	56	8,082	10	1,488
Cape of Good Hope .. ..	3	1,050	1	500
	590	66,885	555	84,704
Deduct .. .. .	555	—	—	66,885
But Excess Value in 1828-29	40	—	—	17,819

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 655

82. An increase appears to have taken place in the following cases: in our shipments to the United Kingdom, of pieces 117, value sicca rupees 33,366; to France 4 pieces, value sicca rupees 650; and to the Brazils of 78 pieces, value sicca rupees 4,149. Decrease occurred in our trade, with America, of pieces 3, value sicca rupees 240; with Ceylon, of pieces 6, value sicca rupees 150; with New South Wales, of pieces 50, value sicca rupees 210; with the Arabian and Persian Gulfs, of pieces 96, value sicca rupees 8,268; with China, pieces 17, value sicca rupees 1,777; with the Mauritius, pieces 46, value sicca rupees 6,594; and with the Cape of Good Hope, of pieces 2, value sicca rupees 550. The shipments to the Coast of Coromandel are exhibited at the same quantity in 1828-29 as in the year preceding, but deficiency in valuation of sicca rupees 2,594; so the Exports to Java are 16 pieces deficient, and sicca rupees 122 in value in excess of the results of 1827-28; and to Pegue 2 pieces are in excess, and sicca rupees 85 deficient, on the amount of the preceding year.

83. The disagreement noticed above between quantity and value is ascribable to the fact of Imports and Exports, in the year under notice, having run on Shawls of higher value than those of 1827-28.

84. The Importation of this article in the year 1828-29, amounted to maunds 5,062, value sicca rupees 77,276, being an improvement on the result of the previous year by maunds 3,329, value sicca rupees 47,477.

85. The amount of Exportation was maunds 3,318, value sicca rupees 53,766, which, compared with the shipments made in the year 1827-28, is an excess of maunds 1,332, value sicca rupees 20,093, as shown in the following Statement:

Castor Oil Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. .. .	1,974	33,403	3,300	53,339
France .. .. .	—	—	4	144
Coast of Coromandel .. .. .	6	153	—	—
South America .. .. .	—	—	8	146
New South Wales .. .. .	6	117	—	—
Cape of Good Hope .. .. .	—	—	6	137
	1,986	33,673	3,318	53,766
	Deduct .. ..		1,986	33,673
	Excess in 1828-29 .. ..		1,332	20,093

86. We observe, from the above, an increase of maunds 1,326, value sicca rupees 19,936, in our shipments to Great Britain; and exportation of 4 maunds to France, of 8 maunds

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Miscellaneous.  
Shawls.

Castor Oil.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)

Bengal.

Castor Oil.

Ginger.

8 maunds to the United States of America, and of 6 maunds to the Cape ; at the same time, by no shipments having been made in the year under consideration, a deficiency of maunds 6 to the Coast of Coromandel, and of 6 maunds to New South Wales.

87. The trade of Castor Oil may be said to be limited to the demand for Great Britain ; the shipments of it to other places having rather the character of private supplies than of commerce.

88. The Inland Importations, during the year 1828-29, amount to maunds 12,668, value sicca rupees 31,582; which, contrasted with the year preceding it, is a deficit of maunds 3,278, value sicca rupees 16,350.

89. In the comparison of Exports, there appears an increase of maunds 3,724, value sicca rupees 14,294, the amount of shipments in the year 1827-28 being maunds 13,357, value sicca rupees 43,271, as represented in the following:—

Ginger Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
H. C. Trade .. .. .	—	—	1,178	6,477
Private ditto .. .. .	4,395	13,190	3,116	9,383
United Kingdom .. .. .	4,395	13,190	4,291	15,860
France .. .. .	29	144	—	—
Sweden .. .. .	60	179	50	150
America .. .. .	2,755	8,264	6,975	21,107
Coast of Coromandel .. ..	1,113	3,351	610	1,842
Coast of Malabar .. ..	543	1,635	521	1,562
Ceylon .. .. .	50	150	—	—
New South Wales .. ..	50	150	16	60
Arabian and Persian Gulfs ..	603	1,809	891	2,690
Pegue .. .. .	35	105	—	—
	9,633	28,977	13,357	43,271
		Deduct ..	9,633	28,977
		Excess in 1828-29 ..	3,724	14,294

90. An increase took place in the shipments to America of maunds 4,220, value sicca rupees 12,843, and to the Arabian and Persian Gulfs of maunds 288, value sicca rupees 881. The Exports to the United Kingdom, made up of maunds 1,178, value sicca rupees 6,477, on account of the Honourable Company, and of maunds 3,116, value sicca rupees 9,383, on account of the Private Trade, show an increase of value of sicca rupees 2,670, and a decrease of quantity of maunds 101.

91. There was a decrease in our transactions with Sweden of maunds 10, value sicca rupees 29; with the Coast of Coromandel, of maunds 503, value sicca rupees 1,509; with the Coast of Malabar, of maunds 22, value sicca rupees 73; and with New South Wales, of maunds 34, value sicca rupees 90. In the following cases the deficiency is to be accounted for by the absence of shipments in the year 1828-29; *viz.* to France, of maunds 29, value sicca rupees 144; to Ceylon, of maunds 50, value sicca rupees 150; and to Pegue, of maunds 35, value sicca rupees 105.

92. We noticed last year that the principal demand for Ginger is for the United Kingdom, to which the exports have been steady and continual. The first shipment to France took place in 1827-28, but it has not been repeated. The first shipment to America was made in the year 1827-28, and the increased exportation in the year under notice leads us to hope that the demand for our ginger will improve in that quarter.

93. This article was subject to a great fluctuation in the year under notice. The Inland Importation amounted to B. maunds 36,232, value sicca rupees 1,33,544, being an augmentation on the result of the previous year by maunds 10,561, value sicca rupees 60,493.

94. The quantity shipped within the year amounted to B. maunds 24,985, value sicca rupees 87,637, being, on comparison with the year 1827-28, an excess of maunds 11,091, value sicca rupees 43,593.

Turmeric Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. ..	7,789	23,883	10,228	34,363
France .. ..	4,128	14,065	13,042	47,499
America .. ..	1,653	5,220	993	3,220
Coast of Coromandel .. ..	30	117	—	—
Arabian and Persian Gulfs .. ..	294	759	—	—
Mauritius .. ..	—	—	672	2,392
Cape of Good Hope .. ..	—	—	50	163
	13,894	44,044	24,985	87,637
	Deduct ..		13,894	44,044
	Excess in 1828-9 ..		11,091	43,593

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Ginger.

Turmeric.



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## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

Turmeric.

95. The shipment of Turmeric is principally confined to Europe and America, where it obtains a demand chiefly for the purpose of dyeing. The shipment to Great Britain was maunds 2,439, value sicca rupees 10,480, in excess of the operations of the year 1827-28; to France, maunds 8,914, value sicca rupees 33,434; to the Mauritius, maunds 672, value sicca rupees 2,392; and to the Cape of Good Hope, maunds 50, value sicca rupees 163. The two last are entire shipments, none having been made in the year 1827-28 to the places mentioned. The exportations to America are B. maunds 660, value sicca rupees 20,000, less than of the previous year; and, from the absence of shipments, the Coast of Coromandel presents a decrease of maunds 30, value sicca rupees 117; and the Arabian and Persian Gulfs, maunds 294, value sicca rupees 759.

Skins and Hides.

96. The Importation of this class of commodity from the Interior, in the year under consideration, appears to have been in value to the extent of sicca rupees 81,034, which, contrasted with the year 1827-28, is an increase of sicca rupees 5,264.

97. The Exports were also increased in a small degree; their aggregate value having been sicca rupees 73,948, which was an excess of sicca rupees 2,681 on the amount of the previous year.

### Skins and Hides Exports by Sea.

	1827-28.	1828-29.
United Kingdom .. .. .	27,089	24,368
France .. .. .	255	360
Sweden .. .. .	1,852	—
America .. .. .	41,545	45,893
Coast of Malabar .. .. .	120	327
Penang and Eastward .. .. .	—	1,219
Java .. .. .	—	1,399
Pegue .. .. .	406	—
Mauritius .. .. .	—	382
	71,267	73,948
Deduct ..		71,267
Excess in 1828-29 ..		2,681

98. The comparative details of the above are as under: An increase of sicca rupees 105, on our shipments to France; sicca rupees 4,348, to America; sicca rupees 207, to the Coast of Malabar; sicca rupees 1,219, to Penang and the Eastward; sicca rupees

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rupees 1,399, to Java; and sicca rupees 382, to the Mauritius. Whilst the Exports to the United Kingdom present a decrease of sicca rupees 2,721; and, from the absence of shipments, the trade with Sweden is deficient in value sicca rupees 1,852; and with Pegue, sicca rupees 406.

99. The Returns of the Inland Custom-house do not present the Importation of this article.

100. The Export operations in Sal ammoniac exhibit a small fluctuation in the year 1828-29; the amount of shipments appears to be in quantity, maunds 1,551, value sicca rupees 24,898, being in excess of the previous year by maunds 788, value sicca rupees 10,614.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal

Sal ammoniac.

## Sal ammoniac Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. .. .	392	8,011	573	9,168
America .. .. .	—	—	316	5,051
Coast of Coromandel .. ..	27	516	31	502
Coast of Malabar .. .. .	96	1,794	—	—
Ceylon .. .. .	12	201	—	—
Arabian and Persian Gulfs ..	236	3,762	631	10,177
	763	14,284	1,551	24,898
	Deduct .. ..		108	2,009
	Excess in 1828-29 .. ..		788	10,614

101. An increase is observable in our shipments to the United Kingdom, of maunds 181, value sicca rupees 1,157; to America, of maunds 316, value sicca rupees 5,051; and to the Arabian and Persian Gulfs, of maunds 395, value sicca rupees 6,415.

102. In our shipments to the Coast of Coromandel there was an increase in quantity of 4 maunds, but a decrease in value sicca rupees 14. No shipments having been made, in the year 1828-29, to the Coast of Malabar, there was a deficiency of maunds 96, value sicca rupees 1,794; and for the same reason, of maunds 12, value sicca rupees 201, in our trade with Ceylon.

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Tincal and Borax.

103. The Importation of these articles from the Interior, in the year under review, only slightly increased in the quantity of the previous year. The Importations amount to maunds 2,532, in value sicca rupees 45,557; but in excess of 1827-28, maunds 371, value sicca rupees 4,124.

104. The range of Exportation was more varied: the aggregate of shipments was maunds 2,556, value sicca rupees 46,436; the comparative out-turn being maunds 1,570, value sicca rupees 27,969, in increase of the result of the year 1827-28, as shown in the following Statement :—

## Borax and Tincal Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. ..	439	8,052	1,807	31,887
America .. ..	—	—	286	5,719
Coast of Coromandel .. ..	242	4,466	312	5,811
Coast of Malabar .. ..	219	4,365	151	3,019
Ceylon .. ..	20	263	—	—
Arabian and Persian Gulfs ..	11	217	—	—
Mauritius .. ..	55	1,104	—	—
	986	18,467	2,556	46,436
			Deduct .. ..	154
				2,930
			Excess in 1828-29 .. ..	1,570
				27,969

105. The fluctuations attach to the trade of the countries where the demand for Tincal and Borax is continual: our shipments to the United Kingdom exhibit an increase of maunds 1,368, value sicca rupees 23,835; to America, maunds 286, value sicca rupees 5,719; and to the Coast of Coromandel, of maunds 70, value sicca rupees 1,345.

106. The shipments to the Coast of Malabar are given at a decrease of maunds 68, value sicca rupees 1,346; and, owing to no Exportation of Tincal and Borax having been made to the following mentioned places, the deficiencies are as follows: to Ceylon, maunds 20, value sicca rupees 263; to the Arabian and Persian Gulfs, maunds 11, value sicca rupees 217; and to the Mauritius, maunds 55, value sicca rupees 1,104.

Munjeet.

107. The Importation, as passed at the Inland Custom-house, amounted to maunds 320, value sicca rupees 1,814.

108. The

## SELECT COMMITTEE OF THE HOUSE OF COMMONS. 661

108. The Exportation was maunds 2,924, value sicca rupees 17,041 ; being in excess of the year 1827-28, maunds 1,860, value sicca rupees 8,011, as per following Schedule :

**EXTERNAL  
AND INTERNAL  
COMMERCE.**

(1.)  
Bengal.

**Munjeet.**

### Munjeet Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. ..	939	8,601	2,924	17,041
France .. ..	26	157	—	—
Coast of Sumatra .. ..	99	272	—	—
	1,064	9,030	2,924	17,041
	Deduct .. ..		1,064	9,030
	Excess in 1828-29 .. ..		1,860	8,011

109. The comparative out-turn is an increase on the shipment to the United Kingdom, of maunds 1,985, value sicca rupees 8,440; and, from the absence of Exportation, a decrease in our relations with France of maunds 26, value sicca rupees 157; and with the Coast of Sumatra, of maunds 99, value sicca rupees 272.

110. The shipment of Munjeet, in the year 1828-29, was confined to Great Britain.

111. The Importations from the Interior are represented at pieces 63,455, value sicca rupees 66,058, being an improvement on the previous year of pieces 11,844, value sicca rupees 14,028. Carpets & Blankets.

112. The amount of Exportation is exhibited at pieces 18,775, value sicca rupees 21,462, which, contrasted with the previous year, is a deficiency in quantity of pieces 1,575, and an increase in the value of sicca rupees 3,519.

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EXTERNAL  
AND INTERNAL  
COMMERCE.

## Carpets and Blankets Exports by Sea.

(1.)  
Bengal.

Carpets & Blankets.

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
H. C. Trade .. ..	—	—	113	5,970
Private ditto .. ..	782	1,258	180	297
United Kingdom .. ..	782	1,258	293	6,267
America .. ..	19	197	—	—
South America .. ..	—	—	275	206
Coast of Coromandel .. ..	12	360	—	—
Coast of Malabar .. ..	60	350	—	—
New South Wales .. ..	170	590	1,470	1,670
Arabian and Persian Gulfs ..	27	263	202	653
Pegue .. ..	153	350	265	463
Mauritius .. ..	19,127	14,575	14,270	10,695
Cape of Good Hope .. ..	—	—	2,000	1,508
	20,350	17,943	18,755	21,462
Deduct .. ..	18,775	—	—	17,942
But Excess in Value in 1828-29 ..	1,675	—	—	3,519

113. The comparative result of the above statement is a decrease of 489 pieces in our shipments to the United Kingdom, but an increase of value by sicca rupees 5,009; an increase of maunds 275, value sicca rupees 206, on our Exports to South America; to New South Wales, of pieces 1,300, value sicca rupees 1,080; to the Arabian and Persian Gulfs, of pieces 175, value sicca rupees 390; to Pegue, of pieces 112, value sicca rupees 113; and to the Cape of Good Hope, pieces 2,000, value sicca rupees 1,508.

114. Decrease has occurred in the following cases: to America, of pieces 19, value sicca rupees 197; to the Coast of Coromandel of pieces 12, value sicca rupees 360; to the Coast of Malabar of pieces 60, value sicca rupees 350; and to the Mauritius of pieces 4,857, value sicca rupees 3,880.

Gunnies  
and  
Gunny Bags.

115. The Importations from the Interior are represented at 5,016,114 pieces, value sicca rupees 3,18,211, being a decrease on the out-turn of the previous year by 15,019 pieces, value sicca rupees 8,525.

116. The statement of Exportations exhibits an improvement, in the year 1827-28, of 1,476,879 pieces, value sicca rupees 44,785; the amount of shipments in 1828-29 being 3,335,587 pieces, value sicca rupees 2,16,735.

Gunnies

Gunnies and Gunny Bags Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Gunnies and  
Gunny Bags.

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
United Kingdom .. .. .	7,250	360	260,700	15,990
France .. .. .	24,250	3,281	15,000	800
Portugal .. .. .	15,000	2,250	25,800	1,326
America .. .. .	22,608	2,325	81,900	4,516
South America .. .. .	—	—	30,000	2,640
Coast of Coromandel .. ..	28,075	2,577	69,875	5,216
H. C. Trade .. .. .	175,000	39,053	—	—
Private ditto .. .. .	836,150	51,310	—	—
Coast of Malabar .. .. .	1,011,150	90,363	2,252,435	1,43,378
Coast of Sumatra .. .. .	14,900	1,755	—	—
Ceylon .. .. .	56,100	2,526	35,000	3,361
New South Wales .. .. .	10,000	1,196	1,742	185
Penang and Eastward .. ..	192,600	16,408	259,385	15,209
Java .. .. .	358,700	40,967	104,400	9,425
Manilla .. .. .	1,000	130	—	—
China .. .. .	84,075	5,428	142,950	10,764
Pegue .. .. .	—	—	20,300	1,487
Mauritius .. .. .	26,000	1,554	31,100	2,238
Cape of Good Hope .. ..	7,000	880	5,000	200
	1,858,708	1,72,000	3,335,587	2,16,735
		Deduct ..	1,858,708	1,72,000
		Excess in 1828-29 ..	1,476,879	44,735

117. The comparative results of the foregoing exhibit an increase on the shipments made to the United Kingdom, of pieces 253,340, value sicca rupees 15,630; to America, of pieces 59,292, value sicca rupees 2,191, to South America, 30,000 pieces, value sicca rupees 2,640; to the Coast of Coromandel, of pieces 41,800, value sicca rupees 2,639; to the Coast of Malabar, of pieces 1,241,285, value sicca rupees 53,015; to China, of pieces 58,875, value sicca rupees 5,336; to Pegue, of pieces 20,300, value sicca rupees 1,487; to the Mauritius, of pieces 5,100, value sicca rupees 684.

118. The shipments to Portugal present an increase in quantity of pieces 10,800, but a deficiency in value of sicca rupees 924; to Ceylon, an advance in value of sicca rupees

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Gunnies and  
Gunny Bags.

835, but a deficiency in quantity of pieces 21,100; and to Penang and Eastward, an increase in quantity of 66,785 pieces, but a decrease in value of sicca rupees 1,199.

119. Decrease has been met in the following cases: on exports to France, of 9,250 pieces, value sicca rupees 2,481; to the Coast of Sumatra, of pieces 14,900, value sicca rupees 1,755; to New South Wales, of pieces 8,258, value sicca rupees 1,011; to Java, pieces 2,54,300, value sicca rupees 31,542; to Manilla, pieces 1,000, value sicca rupees 130; and to the Cape of Good Hope, of pieces 2,000, value sicca rupees 680.

120. Adding to the above quantity the Gunnies which have accompanied the shipments of Grain, at the rate of one piece per maund of Grain, the total of Gunnies exported, in the year under consideration, will be found to have been 4,744,270 pieces; and, at 700 pieces to one ton, the extent of tonnage employed in their conveyance was 6,777.

Soap.

121. The Inland Importation of this article was B. maunds 1,010, value sicca rupees 10,572, during the year under review.

122. The Exportations exhibit a trifling fluctuation; the amount of shipments being maunds 1,116, value sicca rupees 10,696; or maunds 415, value sicca rupees 3,810, in excess of the year 1828-29.

## Soap Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. .. .	—	—	180	1,761
France .. .. .	—	—	15	100
Coast of Coromandel .. .. .	10	117	—	—
New South Wales .. .. .	105	1,050	—	—
Arabian and Persian Gulfs .. .. .	—	—	35	363
Penang and Eastward .. .. .	125	1,244	533	5,111
Java .. .. .	305	2,943	200	1,850
China .. .. .	91	880	64	625
Pegue .. .. .	65	652	89	886
	701	6,886	1,116	10,696
	Deduct .. ..		701	6,886
Excess in 1828-29 .. ..			415	3,810

123. An

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Soap.

Tobacco.

123. An increase appears on our shipments, to the United Kingdom of maunds 180, value sicca rupees 1,761; to France, of maunds 15, value sicca rupees 100; to the Arabian and Persian Gulfs, of maunds 35, value sicca rupees 363; to Penang and Eastward, of maunds 408, value sicca rupees 3,867; and to Pegue, of maunds 24, value sicca rupees 234.

124. Decrease occurred in the following shipments: to the Coast of Coromandel, of maunds 10, value sicca rupees 117; to New South Wales, of maunds 105, value sicca rupees 1,050; to Java, maunds 105, value sicca rupees 1,093; and to China, of maunds 27, value sicca rupees 255.

125. The Importation of this staple, from the Interior, augmented considerably in the year under consideration, the quantity having been maunds 187,170, value sicca rupees 9,35,850, showing an excess on the previous year of maunds 59,304, value sicca rupees 2,96,385.

126. The exports also present an increase throughout our shipments, the total of exportation being maunds 1,578, value sicca rupees 7,958, or an excess of maunds 995, value sicca rupees 6,349, on the amount of the year 1828-29, as per statement—

## Tobacco Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. .. .	52	149	59	689
Coast of Coromandel .. .. .	—	—	40	198
Coast of Malabar .. .. .	31	155	230	1,153
New South Wales .. .. .	—	—	22	110
Arabian and Persian Gulfs .. .. .	101	301	186	980
Penang and Eastward .. .. .	40	128	569	2,711
Pegue .. .. .	379	868	436	1,831
Maldiv Islands .. .. .	—	—	24	118
Mauritius .. .. .	—	—	32	160
	603	1,601	1,598	7,950
Deduct .. .. .			603	1,601
Excess in 1828-29 .. .. .			995	6,349



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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Tobacco.

Putchuck.

127. The comparative details of the foregoing are an increase on the shipments, to Great Britain of maunds 7, value sicca rupees 540; to the Coast of Coromandel, of maunds 40, value sicca rupees 198; to the Coast of Malabar, of maunds 199, value sicca rupees 998; to New South Wales, of maunds 22, value sicca rupees 110; to the Arabian and Persian Gulfs, of maunds 85, value sicca rupees 679; to Penang and the Eastward, of maunds 529, value sicca rupees 2,583; to Pegue, of maunds 57, value sicca rupees 963; to the Maldiv Islands, of maunds 24, value sicca rupees 118; and to the Mauritius, of maunds 32, value sicca rupees 160.

128. The Importation of this commodity, from the Interior, is not noticed.

129. In exports there appeared an excess on the out-turn of the previous year by maunds 349, value sicca rupees 2,741, the amount of shipments in 1828-29 being maunds 1,915, value sicca rupees 22,786.

## Putchuck Exports by Sea.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
Coast of Coromandel .. ..	43	522	—	—
Coast of Malabar .. ..	94	1,133	—	—
Arabian and Persian Gulfs .. ..	22	263	—	—
Penang and Eastward .. ..	13	157	29	345
China .. ..	1,385	17,862	1,886	22,441
Pegue .. ..	9	108	—	—
	1,566	20,045	1,915	22,786
Deduct .. ..			1,566	20,045
Excess in 1828-29 .. ..			349	2,741

130. The exportations have been confined to Penang and the Eastward, and to China; the result, as regards the former, is an increase of maunds 16, value sicca rupees 188, and the latter of maunds 501, value sicca rupees 4,579.

131. No shipments of Putchuck were made, in the year under notice, to the Coast of Coromandel, the Coast of Malabar, the Arabian or Persian Gulfs, or to Pegue.

132. The

132. The Inland Importations are given at maunds 2,500, value sicca rupees 14,606.

133. The Exportations, in the year under notice, amount to maunds 1,249, value sicca rupees 12,605, being a deficiency of maunds 2,889, value sicca rupees 24,621, on the result of the year 1827-28.

Gums Exports by Sea.

				1827-28.		1828-29.	
				Maunds.	Value.	Maunds.	Value.
United Kingdom	..	..	..	2,661	22,358	445	4,565
France	..	..	..	511	5,403	173	1,542
America	..	..	..	915	8,956	593	6,133
Coast of Coromandel	..	..	..	51	509	—	—
Mauritius	..	..	..	—	—	38	365
				4,138	37,226	1,249	12,605
Deduct	..	..		1,249	12,605		
Loss in 1828-29	..			2,889	24,621		

134. The comparative details of the above are a deficiency in our shipments to the United Kingdom of maunds 2,216, value sicca rupees 17,793; to France, maunds 338, value sicca rupees 3,861; to America, of maunds 322, value sicca rupees 2,823; and to the Coast of Coromandel, of maunds 51, value sicca rupees 509. The exportations to the Mauritius alone show an increase, being maunds 38, value sicca rupees 365, above that of the year 1827-28.

135. This article, like others which are allowed free importation from the Interior, has no entry at the Inland Custom-house.

Canvas.

136. In Exportation the demand appears to have considerably declined. The quantity of shipment, in the year 1828-29, has been 2,253 bolts, value sicca rupees 17,900, being a comparative deficiency of bolts 3,734, value sicca rupees 51,066, as illustrated in the following :

Canvas

**Canvas Exports by Sea.****(1.)  
Bengal.  
Canvas.**

	1827-28.		1828-29.	
	Pieces.	Value.	Pieces.	Value.
United Kingdom .. .. .	—	—	419	3,992
Coast of Coromandel .. ..	1,778	21,582	70	640
Coast of Malabar .. .. .	488	3,721	732	5,318
New South Wales .. .. .	1,068	11,283	150	1,500
Arabian and Persian Gulfs ..	—	—	12	120
Penang and Eastward .. ..	985	10,941	665	4,860
Java .. .. .	825	11,607	85	510
Manilla .. .. .	100	1,800	—	—
China .. .. .	268	2,880	—	—
Pegue .. .. .	58	1,198	—	—
Mauritius .. .. .	243	2,214	100	800
Cape of Good Hope .. ..	174	1,740	20	160
	5,987	68,966	2,253	17,900
Deduct .. .. .	2,253	17,900		
Less in 1828-29 .. .. .	3,734	51,066		

137. The operations of the year under consideration were very confined ; the shipments to Great Britain (properly to St. Helena), were 419 bolts, value sicca rupees 3,992, above the amount of the previous year: to the Coast of Malabar, bolts 244, value sicca rupees 1,597; to the Arabian and Persian Gulfs, 12 bolts, value sicca rupees 120. The comparative deficiencies of the year occur in shipments to the Coast of Coromandel of 1,708 bolts, value sicca rupees 20,942; to New South Wales, of 918 bolts, value sicca rupees 9,783; to Penang and Eastward, 320 bolts, value sicca rupees 6,081; to Java, 740 bolts, value sicca rupees 11,097; to the Mauritius, of 143 bolts, value sicca rupees 1,414; and to the Cape of Good Hope, of 151 bolts, value sicca rupees 1,580; the diminution being augmented by the absence of exportation to the following places, *viz.* to Manilla, of bolts 100, value sicca rupees 1,800; to China, of bolts 268, value sicca rupees 2,880; and to Pegue, of bolts 58, value sicca rupees 1,198.

**Hemp, Flax,  
and Twine.**

138. Are exempted from registry on Inland Importation, the transit being free of duty.

139. The Exportations of the year amounted to maunds 19,478, value sicca rupees 1,06,759, being a comparative excess, in the year 1827-28, of maunds 3,784, value sicca rupees 8,217, as per statement that follows:—

Hemp, Flax and Twine Exports by Sea.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Hemp, Flax, and  
Twine.

	1827-28.		1828-29.	
	Maunds.	Value.	Maunds.	Value.
United Kingdom .. .. .	11,833	52,300	14,990	60,248
France .. .. .	47	405	—	—
Portugal .. .. .	—	—	140	1,880
America .. .. .	2,245	28,047	1,994	24,044
Brazils .. .. .	—	—	80	1,120
Coast of Coromandel .. .. .	269	2,828	56	434
Coast of Malabar .. .. .	188	2,021	427	3,287
Ceylon .. .. .	41	386	21	291
New South Wales .. .. .	83	1,219	29	114
Arabian and Persian Gulfs .. .. .	39	312	49	477
Penang and Eastward .. .. .	48	691	110	888
Manilla .. .. .	11	150	—	—
Pegue .. .. .	132	1,496	26	278
Mauritius .. .. .	529	7,541	1,437	12,710
Cape of Good Hope .. .. .	229	1,146	119	988
	15,694	98,542	19,478	1,06,759
	Deduct .. .. .		15,694	98,542
	Excess in 1828-29 .. .. .		3,784	8,217

140. The details, contrasted with those of the previous year, present an increase on the operations to Great Britain, of maunds 3,157, value sicca rupees 7,948; to Portugal, of maunds 140, value sicca rupees 1,880; to the Brazils, of 80 maunds, value sicca rupees 1,120; to the Coast of Malabar, of maunds 239, value sicca rupees 1,266; to the Arabian and Persian Gulfs, of maunds 10, value sicca rupees 165; to Penang and Eastward, of maunds 62, value sicca rupees 197; and to the Mauritius, of maunds 908, value sicca rupees 5,169. These advantages having been partially counteracted by deficiency in the amount of our shipments to America, of maunds 251, value sicca rupees 4,003; to the Coast of Coromandel, maunds 213, value sicca rupees 2,394; to Ceylon, of maunds 20, value sicca rupees 95; to New South Wales, of maunds 54, value sicca rupees 1,105; to Pegue, of maunds 106, value sicca rupees 1,218; and to the Cape of Good Hope, of maunds 110, value sicca rupees 158; also by no exportations having been made in the following cases: to France, of maunds 47, value sicca rupees 405; and to Manilla, of maunds 11, value sicca rupees 150.

141. There appears to have been no shipment of this commodity within the year under consideration; the comparative result is consequently a deficiency equal to the extent of the exportations of the year 1827-28, which is 7,290 gallons, value sicca rupees 8,397; small

Rum.

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Rum.

small shipments of rum, however, as stores for vessels, have taken place; but these petty supplies, under a recent regulation of the Custom-house, are not entered upon the Trade Registers. No exportation was effected under commercial objects.

## Bengal Rum Exports by Sea.

	1827-28.		1828-29.	
	Gallons.	Value.	Gallons.	Value.
New South Wales .. ..	2,137	2,404	—	—
Java .. ..	1,081	1,356	—	—
China .. ..	1,058	1,058	—	—
Pegue .. ..	3,014	3,579	—	—
All Decrease.	7,290	8,397	—	—

Opium.

142. The Inland Importation of this drug is given at 7,709 chests, value sicca rupees 1,06,35,134; which, contrasted with the entry for the previous year, shows an increase in the quantity by 1,359 chests, and a reduction in value of sicca rupees 70,106.

143. The aggregate of Exportation is 6,554 chests, value sicca rupees 90,18,536, or a deficiency on the amount of the previous year by 1,349 chests, value sicca rupees 30,88,265, as represented in the following Statement:

## Opium Exports by Sea.

	1827-28.		1828-29.	
	Chests.	Value.	Chests.	Value.
Coast of Sumatra .. ..	23	31,730	—	—
Penang and Eastward .. ..	325	5,30,326	1,582	20,37,290
Java .. ..	195	2,49,175	62	1,03,715
Manilla .. ..	18	31,865	—	—
China .. ..	7,341	1,12,62,475	4,903	68,68,251
Pegue .. ..	1	1,230	7	9,280
	7,903	1,21,06,801	6,554	90,18,536
Deduct .. ..	6,554	90,18,536		
Less in 1828-29 .. ..	1,394	30,88,265		

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Opium.

					1828-29.		
					Chests.	Value.	Average Price per Chest.
Patna Opium .. .. .	..	..	..	..	4,817	66,99,346	1,390. 12. 4.
Benares Ditto .. .. .	..	..	..	..	1,737	23,19,190	1,335. 2. 9.

144. The details of the foregoing are a deficiency on the exports to Java, of 133 chests, value sicca rupees 1,45,460; and to China, of chests 2,438, value sicca rupees 1,03,94,224; and from no apparent shipments, a decrease equal to exportations of the previous year in the trade with the Coast of Sumatra of 23 chests, value sicca rupees 31,730; and with Manilla, of chests 18, value sicca rupees 31,865. Increase is presented on our shipments to Penang and Eastward of chests 1,257, value sicca rupees 15,06,964; and to Pegue of 6 chests, value sicca rupees 8,050.

145. The sales of the year under consideration were 7,409 chests, value sicca rupees 92,61,030, comprehending 5,287 chests of Patna, value sicca rupees 67,23,340; and Benares, 2,122 chests, value sicca rupees 25,37,690; the average price of the first being at sicca rupees 1,271. 10. 9½ per chest, and of the latter, at sicca rupees 1,195. 14. 4. per chest.

146. The year under review does not appear to have been marked by any very extraordinary circumstances. The cultivation of Indigo continued to be the principal object for the investment of capital, and to have been preferred as the medium of remittances to Europe, notwithstanding the production had been carried beyond the usual annual average.

General.  
Observations.  
Indigo.

147. The speculations in Raw Silk were increased; but we have learnt that the remittances which were made in this article have greatly disappointed expectation.

Raw Silk.

148. We have represented the trade in Cotton Piece Goods as much reduced, and declining in the scale of our External Commerce; and that the exportation of the article is opposed by the markets abroad being possessed by British manufacture. We are anxious to see the completion of the project of establishing machinery in India for the purpose of spinning and weaving.

Cotton Piece  
Goods.

149. We conceive that future operations in this article will be still greatly reduced. The principal demand for Silk Piece Goods is for Europe; and our exports of it thither has been yearly declining; the silks required for America are of smaller dimensions than those of Europe, and of an inferior quality. The corals, or unbleached and unprinted silks, have of late formed the principal export demand for Europe.

Silk Piece Goods.

150. This important staple has lately attracted considerable attention, and very expensive and extensive undertakings are, we understand, contemplated in it.

Sugar.

151. The principal demand for this product is in Europe and America. The many uses to which it is now applied in Europe has given it a character in our trade which it did not formerly possess; and as no part of the world is capable of producing it at a cheaper

Saltpetre.

price

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)

Bengal.

Saltpetre.

Cotton.

Grain.

Safflower.

Lac Dye and  
Shell Lac.Miscellanea.  
Tobacco.

price than the East-Indies, or properly Hindoostan, it is one of the principal articles of our trade. At the present moment, when the Tariff of the United States has so greatly diminished the number of exportable commodities to America, when the high price of Indigo almost forbids the shipment of it from hence to the States, Saltpetre forms the link of our commerce with America, and its cheapness affords employment to a vast proportion of the tonnage engaged between Europe and India. The quantity exported in the year under notice was F. maunds 376,640, and the average of the last five years is F. maunds 320,394.\*

152. This most valuable and important article has been, for a series of years past, declining in the scale of our external trade. Its principal demand is in Great Britain and in China. In the first, it is successfully opposed by the American product; in the last, local production, nearly to the extent of the demand for it, with the utmost desire of China Cotton fabrics in Europe, has diminished the want of it. From the soil and climate of India being generally favourable to the growth of Cotton, it is to be lamented that greater attention is not paid to its production.

153. The least in value, but the most important branch of our external and internal trade, competing with Sugar and Saltpetre as dead weight to the shipping engaged in the Europe trade, it promises to sustain a steady position in it. The culture of Rice has of late been successfully extended on the Coast of Coromandel and Malabar, which accounts for the comparative deficiency in the exports thither; their proximity to Ceylon, and the Arabian and Persian Gulfs, will occasion supplies from thence, and create a proportionate diminution in our exports; but the abandonment of almost all other agricultural productions at the Mauritius in favour of Sugar, will considerably augment the demand for Rice, for the use of the Colony. The shipments of Grain to Pegue and Penang are chiefly commissariat supplies. We have already observed that the Grain shipped, in the year under consideration, equalled 52,000 tons of shipping.

154. In our Report of the past year we stated that this article was not likely to improve in our commerce with Europe, where its value is best appreciated, and where the demand for it principally exists; and our returns for the present year justify the remark; the exportation to France being greatly diminished in the year under consideration. It is probable that a reduction in the first cost may generally increase the consumption of Safflower; and it is believed that the Sunderbund lands are favourable to the growth and production of it.

155. The increased demand in Europe and America for Shell Lac has drawn considerable attention to this product. From its cheapness, it affords a safe medium of remittance to Europe, particularly to England; and so long as the price is kept within moderate bounds, it will continue, we imagine, to be an object of inquiry.

156. Of this classification, the following claim consideration:

157. Considerable attention has of late been given by Government to the agricultural

• 1821-25	..	..	..	F. maunds	232,765
1825-26	..	..	..	—	320,363
1826-27	..	..	..	—	315,672
1827-28	..	..	..	—	356,530
1828-29	..	..	..	—	376,640
					<hr/>
					1,601,970
					<hr/>
F. maunds ..					320,394

condition of India, and to the means of improving its productions. Tobacco, as one of the principal staples, has not been overlooked; and it is to be hoped that before long it may rank amongst exportable commodities.

158. These are products of great and general utility; and their improvement, if it could be effected without enhancing the present cost of production, would be of very general benefit.

159. There has been a total suspension of the export of this article during the year 1828-29. The principal demand for it was in New South Wales; but the heavy duty there laid upon it is known to have operated as an entire prohibition.

160. The gross value of Exports, in the year under consideration, was sicca rupees 5,20,15,142; of which amount, Merchandize involves sicca rupees 5,02,81,959, and Treasure, sicca rupees 17,63,193, as exemplified in the following Statement:

ABSTRACT STATEMENT OF EXPORTS from Calcutta, in the year 1828-29.

Cotton Piece Goods .. .. .	pieces	828,153	21,36,004
Silk Piece Goods .. .. .	—	393,146	20,43,864
Shawls .. .. .	—	555	84,704
Indigo .. .. .	maunds	102,414	1,21,92,642
Sugar .. .. .	—	429,723	36,66,338
Silk .. .. .	—	19,968	95,61,172
Grain .. .. .	—	1,408,683	24,04,435
Behar Opium .. .. .	.. chests	4,817	66,99,346
Benares ditto .. .. .	—	1,737	23,19,190
Saltpetre .. .. .	maunds	376,640	16,09,034
Gums .. .. .	—	1,249	12,605
Cotton .. .. .	—	201,083	25,88,423
Gunnies and Gunny Bags .. .. .	.. pieces	3,335,587	2,16,735
Lac Dye .. .. .	maunds	7,594	5,49,311
Shell Lac .. .. .	—	11,440	2,07,330
Turmeric .. .. .	—	24,985	87,637
Castor Oil .. .. .	—	3,318	53,766
Safflower .. .. .	—	3,040	78,843
Skins and Hides .. .. .	.. ..	—	73,948
Ginger .. .. .	maunds	13,357	43,271
Sal ammoniac .. .. .	—	1,551	24,898
Borax and Tincal .. .. .	—	2,556	46,436
Canvas .. .. .	.. bolts	2,253	17,900
Soap .. .. .	maunds	1,116	10,696
Hemp, Flax, and Twine .. .. .	—	19,478	1,06,759
Munjeet .. .. .	—	2,924	17,041
Carpets and Blankets .. .. .	.. pieces	18,775	21,462
Tobacco .. .. .	maunds	1,598	7,950
Putchuck .. .. .	—	1,915	22,786
Country Sundries .. .. .	.. ..	—	5,37,002
Re-exported .. .. .	.. ..	—	4,74,41,528 28,40,431
Treasure .. .. .	.. ..	—	5,02,81,959 17,63,193
			5,20,45,152

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal

Hemp, Flax, and  
Twine.  
Rum.



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161. But if the true market value of Indigo and Raw Silk be taken, and an increase of five per cent. on the aggregate of all other goods be assumed, to bring the amount to market standard, the total of Exports will appear as under :

Aggregate value of Goods exported .. .. .	5,02,81,959
Indigo, on maunds 91,255, at difference between 100 per maund and marked value, say at 130 per maund, which allows for inferior qualities	1,18,63,150
Raw Silk, on maunds 6,359, difference between 6. 12. 3½. rupees per seer, and 10. 8. 3½. per seer, at 3 rupees 12 annas per seer .. .. .	9,53,850
Value of Exports (less Indigo and Raw Silk), rupees 2,85,28,145, at five per cent. .. .. .	14,26,407
Amount of Merchandize .. .. .	6,45,25,366
Treasure Exported .. .. .	17,63,193
Amount of Exports .. .. Sa. Rs.	16,62,88,559

Tonnage.

162. The amount of Tonnage employed, during the year under consideration, was, in arrivals, 433 ships or vessels, containing 141,981 tons ; and in departures, 433 vessels, or tons 139,205 ; the former exhibiting, as compared with the year 1827-28, a decrease by 253 vessels, or tons 33,036, and the latter a diminishment by 259 vessels, or tons 39,028.

163. The principal fluctuations in the arrivals occur in vessels from Great Britain, wherein 17 vessels have been less than of the previous year, with an increase of tonnage of 3,263 tons. The arrivals from France have been of 9 vessels, containing 2,417 tons ; and of American, one vessel and 738 tons, in excess of the previous year. The deficiencies are, of Swedish, 2 vessels, tons 127 ; of Dutch, 1 vessel, of 568 tons ; of Arabs, 6 vessels, of 2,139 tons ; and of Dhonies of the Coasting Trade, 232 vessels, tons 34,800. The absence of arrivals of Portuguese and Spanish ships has occasioned a deficiency of 4 vessels, of 1,500 tons, in the first ; and of one vessel, of 320 tons, in the latter.

164. In departures, the following comparative changes are noticed : Increase in French vessels of 9, equal to 3,207 tons ; of Swedish, 2 vessels, tons 410 ; and of American, tons 316. The deficiencies are as follow : to the United Kingdom, of vessels 25, tons 3,864 ; of Portuguese, 2 vessels, tons 875 ; of Spanish (from the absence of departures), 1 vessel, of 320 tons ; of Dutch, 2 vessels, tons 636 ; of Arabs, 8 vessels, of tons 2,466 ; and of Dhonies, 232, of tons 34,800.

165. Of the Tonnage that was engaged in the Trade with Great Britain, in the year under consideration, the Honourable Company's regular and chartered ships from Great Britain involve 22 ships, or tons 21,565 ; and the Private, from Great Britain, 84 ships, or tons 35,739, in arrivals. In departures, the Tonnage that is presented is made up of 12 ships, or tons 9,824 of the Honourable Company's from Great Britain ; and 75 ships or vessels, or tons 82,787 of the Private Trade, for the same place.

166. The diminution in the number of Dhonies for the past year is indicative of the decline of the coasting trade. The intermediate ports and places on the Coromandel Coast, are now more immediately supplied with Europe articles from Madras, which will obviate the necessity of visiting this place for supplies.

167. The

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167. The rates of Tonnage to England, for the year 1828-29, may be quoted at £3. per ton for dead weight, and £5. 10s. for light goods. Tonnage to France was maintained at 200 francs per ton.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Tonnage.

168. The statement of Tonnage, for the year 1828-29, is as under:

Comparative Statement of Ships and Tonnage to and from Calcutta, for 1827-28 and 1828-29.

ARRIVALS:	1827-28.		1828-29.	
	Ships.	Tons.	Ships.	Tons.
Under British Colours .. ..	251	97,882	234	101,145
— French — .. ..	25	8,147	34	10,564
— Swedish — .. ..	3	595	1	468
— Portuguese — .. ..	4	1,500	—	—
— Spanish — .. ..	1	320	—	—
— Dutch — .. ..	3	1,028	2	460
— American — .. ..	10	2,788	1	3,526
— Arab — .. ..	19	7,257	13	5,118
— Dhonies — .. ..	370	55,500	138	20,700
	686	175,017	433	141,981
Deduct .. ..	433	141,981		
Net Decrease in 1828-29 ..	253	33,036		

DEPARTURES:	1827-28.		1828-29.	
	Ships.	Tons.	Ships.	Tons.
Under British Colours .. ..	255	100,236	230	96,372
— French — .. ..	25	7,798	34	11,005
— Swedish — .. ..	1	335	3	745
— Portuguese — .. ..	3	1,275	1	400
— Spanish — .. ..	1	320	—	—
— Dutch — .. ..	4	1,096	2	460
— American — .. ..	11	3,254	11	3,570
— Arabs — .. ..	22	8,419	14	5,953
— Dhonies — .. ..	370	55,500	138	20,700
	692	1,78,233	433	139,205
Deduct .. ..	433	1,39,205		
Net Decrease in 1828-29 ..	259	39,028		

# 676 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

## EUROPE.

(1.)  
Bengal.  
Europe.

169. The value of our commerce with Europe, in the year 1828-29, amounted to sicca rupees 5,47,71,820; comprehending Imports at sicca rupees 2,50,90,051, and Exports at sicca rupees 2,96,81,769; the former, or Imports, exceeding those of the year 1827-28 by sicca rupees 33,60,762, and the latter deficient sicca rupees 78,89,357. The comparative difference between the aggregate valuation of the two years being a decline of sicca rupees 45,28,595 in the year 1828-29, as more fully illustrated in the following Schedules:

## EUROPE :

	IMPORTS.			EXPORTS.			GRAND TOTAL
	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.	
1827-28.							
Great Britain	1,89,91,756	73,620	1,90,65,376	3,04,20,280	41,65,699	3,45,85,979	5,36,51,355
France ..	13,83,920	9,28,546	23,12,466	26,86,304	13,500	26,99,804	50,12,270
Hamburgh ..	73,912	—	73,912	—	—	—	73,912
Sweden ..	79,492	—	79,492	91,477	—	91,477	1,70,969
Portugal ..	87,118	1,10,925	1,98,043	1,93,866	—	1,93,866	3,91,909
	2,06,16,198	11,13,091	2,17,29,289	3,33,91,927	41,79,199	3,75,71,126	5,93,00,415
1828-29 :							
Great Britain	2,21,81,707	2,48,101	2,24,29,808	2,57,66,464	12,41,443	2,70,07,907	4,94,37,715
France ..	17,10,434	4,93,816	22,04,250	23,87,107	—	23,87,107	45,91,357
Hamburgh ..	3,73,232	—	3,73,232	—	—	—	3,73,232
Sweden ..	82,761	—	82,761	1,74,322	—	1,74,322	2,57,083
Portugal ..	—	—	—	1,12,433	—	1,12,433	1,12,433
	2,43,48,134	7,41,917	2,50,90,051	2,84,40,326	12,41,443	2,96,81,769	5,47,71,820
Increase ..	37,31,936	—	33,60,762	—	—	—	—
Decrease ..	—	3,71,174	—	49,51,601	29,37,756	78,89,357	45,28,595

GREAT

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 677

## GREAT BRITAIN.

170. The amount of shipping engaged in the trade with the United Kingdom, in the year under consideration has been, in arrivals, 106 vessels, or tons 57,304, and in departures, 87 vessels, or tons 42,611; the difference between this and the preceding year being an increase, on arrivals, of 4 vessels, or tons 5,380, and an excess also on departures, of 13 vessels, or tons 7,046.

171. Of the vessels that have been employed in this trade during the year under review, 16, of tons 16,828, from Great Britain, have belonged to the Honourable Company; and 90 vessels, or 40,476 tons, were of the Private Trade. In departures, 9 vessels, or tons 6,825, have been the Honourable Company's, and 78 vessels, or tons 35,786, of the Private Trade.

172. The arrivals from Great Britain may be thus classed: 74 vessels, or tons 46,211, from London; 19 vessels, or tons 7,133, from Liverpool; 9 vessels of 2,544 tons, from Greenock; one vessel of tons 399, from Hull; two of 714 tons, from Leith; and one vessel of tons 303 from Newcastle.

173. The departures were 65 vessels, of tons 34,859, to Great Britain; 21 vessels, of tons 7,610, to Liverpool; and one vessel of tons 142, to Leith.

174. We have before observed that the Port of Greenock appears unable to sustain a reciprocal commerce with India; we accordingly find that although nine vessels arrived here with produce from Greenock, not one of these returned to that port; Hull and Newcastle are similarly circumstanced in regard to their relation with India; the vessels which came from these places did not return, but they preferred engaging freight from hence to London and Liverpool. One of the two vessels from Leith returned thither, the other having accepted a lading for London or Liverpool.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

					1827-28.		1828-29.	
					Ships.	Tons.	Ships.	Tons.
ARRIVALS :								
London ..	..	..	..	..	79	44,062	74	46,211
Liverpool ..	..	..	..	..	16	5,939	19	7,133
Greenock ..	..	..	..	..	7	1,923	9	2,544
Hull ..	..	..	..	..	—	—	1	399
Leith ..	..	..	..	..	—	—	2	714
Newcastle ..	..	..	..	..	—	—	1	303
					102	51,924	106	57,304
Deduct .. ..							102	51,924
Net Increase in 1828-29 ..							4	5,380

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

					1827-28.		1828-29.	
DEPARTURES :					Ships.	Tons.	Ships.	Tons.
London	..	..	..	..	56	28,697	65	34,859
Liverpool	..	..	..	..	17	6,676	21	7,610
Greenock	..	..	..	..	1	192	—	—
Leith	..	..	..	..	—	—	1	142
					74	35,565	87	42,611
					Deduct .. ..		74	35,565
Net Increase in 1828-29 .. ..							13	7,046

175. The gross value of our commerce with the United Kingdom, for the year under consideration, is sicca rupees 4,94,37,715 ; of which Imports comprehend sicca rupees 2,24,29,808, and Exports sicca rupees 2,70,07,907 ; yielding a result, compared with the previous or year 1827-28, of increase on Imports to the extent of sicca rupees 33,64,432, and a decrease in Exports to the value of sicca rupees 75,78,072, as shown in the following Statement :

					Merchandise.	Treasure.	TOTAL.
Imports	..	..	..	..	2,21,81,707	2,48,101	2,24,29,808
Exports	..	..	..	..	2,57,66,464	12,41,443	2,70,07,907
Total	..	..	S. Rs.		4,79,48,171	14,89,544	4,94,37,715

					Imports.	Exports.
1827-28	..	..	..		1,90,65,376	3,45,85,979
1828-29	..	..	..		2,24,29,808	2,70,07,907
Increase	..	..			33,64,432	—
Decrease	..	..			—	75,78,072

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 679

176. Separating the foregoing into its component parts, the fluctuations will be as follows: the comparative increase in Imports of sicca rupees 33,64,432, in the year 1828-29, is, in merchandize, sicca rupees 31,89,951, and in treasure, sicca rupees 1,74,481; whilst the decrease of sicca rupees 75,78,072 in Exports as follows: deficiency in the value of merchandize, sicca rupees 46,53,816, and in treasure, sicca rupees 29,24,256. The net deficiency of the trade, contrasted with the year 1827-28, is sicca rupees 42,13,640, as shown in the following, *viz.*

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

	1827-28.	1828-29.	Increase.	Decrease.
<b>Imports:</b>				
Merchandize .. .. .	1,89,91,756	2,21,81,707	31,89,951	—
Treasure .. .. .	73,620	2,48,101	1,74,481	—
<b>Exports:</b>				
Merchandize .. .. .	3,04,20,280	2,57,66,464	—	46,53,816
Treasure .. .. .	41,65,699	12,41,443	—	29,24,256
	5,36,51,355	4,94,37,715	33,64,432	75,78,072
Deduct Increase .. ..				33,64,432
Net Decrease .. S. Rs.				42,13,640

177. The value of Imports in the year 1828-29, sicca rupees 2,21,29,808, comprehends the amount of goods imported on account of the Honourable Company: *viz.* in merchandize, sicca rupees 1,51,916, and in treasure, sicca rupees 2,46,114; and in Private Trade, merchandize, sicca rupees 2,20,29,791, and treasure, sicca rupees 1,687. The fluctuations in the above, compared with the previous year, as follow:

## HONOURABLE COMPANY'S TRADE:

Merchandize, decrease .. .. .	1,96,396	
Treasure, increase .. .. .	2,46,414	Increase.
		50,018

## PRIVATE TRADE:

Merchandize, increase .. .. .	33,86,347	
Treasure, decrease.. .. .	71,933	
		33,14,414
Increase in Imports .. .. S. Rs.		33,64,432

# 680 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

178. The Exports have been represented at the value of sicca rupees 2,70,07,907 ; consisting of the Honourable Company's investments in merchandize, sicca rupees 1,41,26,165, and of the Private Trade in merchandize, sicca rupees, 1,16,40,299, and of treasure, sicca rupees 12,41,443. The comparative difference of each, with reference to the year 1827-28, is,

THE HONOURABLE COMPANY'S:						Decrease.
Merchandize, decrease	..	..	..	..	34,10,985	
Treasure, do.	..	..	..	..	34,58,720	
						68,69,705
PRIVATE TRADE:						
Merchandize, decrease	..	..	..	..	12,42,831	
Treasure, increase	..	..	..	..	5,34,464	
						7,08,367
Decrease in Exports						S. Rs. 75,78,072

as exemplified in the following Tables :

	H. C. TRADE.			PRIVATE TRADE.			TOTAL		
	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.
<b>IMPORTS :</b>									
1827-28 ..	3,48,312	—	3,48,312	1,86,43,444	73,620	1,87,17,064	1,89,91,756	73,620	1,90,65,376
1828-29 ..	1,51,916	2,46,414	3,98,330	2,20,29,791	1,687	2,20,31,478	2,21,81,707	2,48,101	2,24,29,808
Increase ..	—	2,46,414	50,018	33,86,347	—	33,14,414	3,89,951	1,74,481	33,64,432
Decrease	1,96,396	—	—	—	71,933	—	—	—	—
<b>EXPORTS :</b>									
1827-28 .	1,75,37,150	34,58,720	2,09,95,870	1,28,83,130	7,06,979	1,35,90,109	3,04,20,280	41,65,699	3,45,85,979
1828-29 ..	1,41,26,165	—	1,41,26,165	1,16,40,299	12,41,443	1,28,81,742	2,57,66,464	12,41,443	2,70,07,907
Increase ..	—	—	—	—	5,34,464	—	—	—	—
Decrease	34,10,985	34,58,720	68,69,705	12,42,831	—	7,08,367	46,53,816	29,24,256	75,78,072

179. We have already noticed that the value of Imports from Great Britain, in the year 1828-29, amounts to sicca rupees 2,24,29,808; of which sum, the Port of London has furnished sicca rupees 96,74,380, (in merchandize, sicca rupees 94,26,279, and in treasure, sicca rupees 2,48,101); Liverpool, sicca rupees 80,11,940, in merchandize; Greenock, sicca rupees 45,07,950, in merchandize; the Port of Hull, sicca rupees, 1,22,783, in merchandize; Leith, sicca rupees 93,850, in merchandize; and Newcastle, sicca rupees 18,905, also in merchandize.

180. Comparing the two years under review, the result is as follows:

					Decrease.	Increase.
London ..	Merchandize, decrease ..	..	..	6,14,267		
	Treasure, increase ..	..	..	1,76,196		
					4,38,071	
Liverpool,	Merchandize, increase ..	..	..	11,05,032		
	Treasure, decrease ..	..	..	1,715		
					—	11,03,317
Greenock,	Merchandize, increase ..	..	..	..	—	24,63,648
Hull, ..	do. .. do. ..	..	..	..	—	1,22,783
Leith, ..	do. .. do. ..	..	..	..	—	93,850
Newcastle,	do. .. do. ..	..	..	..	—	18,905
						38,02,503
				Less ..		4,38,071
				Comparative Increase of Imports ..	S. Rs.	33,64,432

181. The Exports to Great Britain, in the year under review, have been represented, in the aggragate, at sicca rupees 2,70,07,907. This amount comprehends the value of shipments to the Port of London, sicca rupees 2,49,46,019, (consisting of merchandize in amount sicca rupees 2,37,73,487, and treasure, sicca rupees 11,72,532); to Liverpool, sicca rupees 20,21,210, (in merchandize, sicca rupees 19,52,299, and treasure, sicca rupees 68,911); and to Leith, sicca rupees 40,678, in merchandize.

182. The comparative difference, for the year under consideration, stands as under:

					Decrease.	Increase.
London ..	Merchandize, decrease ..	..	..	45,62,972		
	Treasure .. do. ..	..	..	28,95,225		
					74,58,197	
Liverpool..	Merchandize do. ..	..	..	1,11,528		
	Treasure .. do. ..	..	..	29,031		
					1,40,559	
Greenock ..	no Exports in 1828-29.					
	Shipment of the previous year ..	..	..		19,994	
Hull ..	no Exports.					
Newcastle .	do.					
Leith ..	no Exports in 1827-28					
	Amount of shipments in the previous year ..				—	40,678
					76,18,750	
				Less ..	40,678	
				Comparative Deficiency in value of Exports, S. Rs.	75,78,072	

as more particularly presented in the following detailed Schedules:



IMPORTS.	TOTAL.			LONDON.			LIVERPOOL.		
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
1827-28 ..	1,89,91,756	73,620	1,90,65,376	1,00,40,546	71,905	1,01,12,451	69,06,908	1,715	69,08,623
1828-29 ..	2,21,81,707	2,48,101	2,24,29,808	94,26,279	2,48,101	96,74,380	80,11,940	—	80,11,940
Increase ..	31,89,951	1,74,481	33,64,432	—	1,76,196	—	11,05,032	—	11,03,317
Decrease ..	—	—	—	6,14,267	—	4,38,071	—	1,715	—

EXPORTS.	TOTAL.			LONDON.		
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
1827-28 ..	3,04,20,280	41,65,699	3,45,85,979	2,83,36,459	40,67,757	3,24,04,216
1828-29 ..	2,57,66,464	12,41,443	2,70,07,907	2,37,73,487	11,72,532	2,49,46,019
Increase ..	—	—	—	—	—	—
Decrease ..	46,53,816	29,24,256	75,78,072	45,62,972	28,95,225	74,58,197

GREENOCK.			HULL.			LEITH.			NEWCASTLE.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
20,44,302	—	20,44,302	—	—	—	—	—	—	—	—	—
45,07,950	—	45,07,950	1,22,783	—	1,22,783	93,850	—	93,850	18,905	—	18,905
24,63,648	—	24,63,648	1,22,783	—	1,22,783	93,850	—	93,850	18,905	—	18,905
—	—	—	—	—	—	—	—	—	—	—	—

LIVERPOOL.			GREENOCK.			LEITH.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
20,63,827	97,942	21,61,769	19,994	—	19,994	—	—	—
19,52,299	68,911	20,21,210	—	—	—	40,678	—	40,678
—	—	—	—	—	—	40,678	—	40,678
1,11,528	29,031	1,40,559	19,994	—	19,994	—	—	—

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

183. The comparison between the trade or investments of the Honourable Company, and the adventures of private individuals, in the commerce of the United Kingdom with India, in the year 1828-29, is as follows :

Imports.			
The Honourable Company's Investments	.. ..	3,98,330	
The Private .. .. do. .. ..	.. ..	2,20,31,478	
Private in excess of the Honourable Company	.. ..		2,16,33,148
Exports.			
The Honourable Company's shipments, at market value	1,41,26,165		
The Private-Trade, at the official valuation	1,28,81,742		
Add difference of value on Indigo exported to Great Britain, F. maunds 63,737, at 130 per maund .. ..	82,85,810		
Ditto on Raw Silk, on B. maunds 5,114 at 3 Rs. 12 As. per seer .. ..	7,67,100		
	2,19,34,652		
			70,08,487
Private-Trade in excess of the Honourable Company's, 1828-29			2,94,41,635

## IMPORTS.

184. Of the articles imported from the United Kingdom, amounting, as per following Schedule, to sicca rupees 2,24,29,808, the value of merchandize was sicca rupees 2,21,81,707 ; and of treasure, sicca rupees 2,48,101 ; the comparison of which, with the operations of the preceding year, exhibits a net increase of sicca rupees 33,64,432 in the year under notice.

## UNITED KINGDOM.

					1827-28.		1828-29.	
					Quantity.	Value.	Quantity.	Value.
IMPORTS :								
Anchors ..	..	..	..	Pa.	417	56,808	349	61,775.
Books ..	..	..	..	..	—	2,24,452	—	1,89,082
Boots and Shoes..	..	..	..	..	—	5,378	—	14,200
Brandy ..	..	..	..	..	—	151,770	—	2,40,374
Brandy, Cherry ..	..	..	..	..	—	16,597	—	7,262
Brimstone ..	..	..	maunds		1,106	4,816	950	3,149
Broadcloth and woollens, British	..			..	—	23,51,771	—	16,05,891
Ditto ditto, Foreign	..	..	..	..	—	63,988	—	15,198
Bottles, empty ..	..	..	..	..	—	83,193	—	58,186

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 685

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal

Great Britain.

IMPORTS—continued.	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Brassery .. .. .	—	12,194	—	47,700
Brass-ware .. .. .	—	22,858	—	5,279
Confectionery .. .. .	—	69,706	—	69,469
Cutlery .. .. .	—	72,642	—	57,880
Cabinet-ware .. .. .	—	4,207	—	16,843
Copper, British .. .. maunds	43,146	17,08,516	44,076	17,01,448
Copper, Foreign .. .. —	6,242	1,94,885	1,537	54,674
Clocks and Watches .. .. .	—	55,956	—	27,171
Cordage .. .. .	—	92,143	—	80,667
Corals .. .. .	—	1,04,346	—	2,25,232
Carriages .. .. .	—	49,579	—	59,855
Corks .. .. .	—	17,148	—	9,825
Claret, English .. .. chests	295½	1,17,742	636	1,93,440
Claret, Foreign .. .. —	—	45,766	—	1,03,608
Champaign and Burgundy .. .. .	—	43,315	—	63,549
Cards .. .. .	—	2,696	—	7,486
Canvas and Vitry .. .. .	—	1,35,971	—	91,558
Cochineal .. .. maunds	46	27,568	142	71,491
Coals .. .. .	—	30,964	—	4,397
Cotton Yarn, British .. .. maunds	1,794	1,73,660	5,175	3,82,704
Cotton Yarn, Foreign .. .. —	—	—	65	11,677
Cotton Twist, British .. .. .	8,626	7,71,859	17,774	14,88,130
Cotton Mule Twist .. .. .	12,725	8,96,591	19,141	14,17,675
Carpets .. .. .	—	14,470	—	12,127
Fowling Pieces and Pistols .. .. .	—	1,05,969	—	73,008
Flannels and Blankets .. .. .	—	1,46,097	—	59,787
Grocery .. .. .	—	24,611	—	1,069
Glass-ware .. .. .	—	3,14,268	—	1,87,391
Gin .. .. .	—	12,360	—	7,220
Gunpowder .. .. .	—	2,139	—	11,119
Gold Thread and Lace .. .. .	—	51,568	—	25,259
Gun Flint .. .. .	—	11,898	—	5,692
Hosiery .. .. .	—	1,35,350	—	1,16,686
Haberdashery .. .. .	—	59,218	—	1,05,497
Hardware .. .. .	—	1,89,194	—	1,48,488
Hats .. .. .	—	29,714	—	34,828
Hock .. .. .	—	7,066	—	21,601
Iron, British .. .. maunds	1,21,835	4,88,568	1,71,221	6,24,987

4 U

(continued.)

# 686 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
IMPORTS—continued.				
Iron, Foreign .. .. maunds	5,982	32,724	3,763	26,019
Ironmongery .. ..	—	70,792	—	1,48,375
Instruments, Musical .. ..	—	1,16,100	—	1,02,148
Ditto Mathematical and Maps ..	—	32,698	—	16,830
Jewellery .. ..	—	2,14,641	—	1,26,464
Kittisols .. ..	—	5,290	—	13,826
Lead, British .. .. maunds	19,623	1,37,401	28,241	1,91,788
Lead, Foreign .. ..	—	—	1,611	11,522
Lead, Red .. ..	—	46,589	—	31,590
Lead, White .. ..	—	54,321	—	49,129
Looking-Glasses .. ..	—	3,503	—	13,559
Lametry .. ..	—	29,700	—	21,822
Line and Twine .. ..	—	9,504	—	4,636
Millinery .. ..	—	1,78,174	—	1,62,800
Malt Liquors .. ..	—	3,48,498	—	4,47,430
Madeira Wine .. .. pipes	275	1,10,575	213	86,984
Medicine .. ..	—	1,01,393	—	66,751
Morocco Skins .. ..	—	19,856	—	11,664
Metal-ware .. ..	—	6,026	—	14,408
Military Stores .. ..	—	20,000	—	—
Machinery .. ..	—	20,026	—	86,998
Oilman's Stores .. ..	—	1,80,368	—	1,82,417
Piece Goods, Cotton, British .. ..	—	49,25,479	—	72,64,668
Piece Goods, Cotton, Foreign .. ..	—	4,660	—	1,81,496
Piece Goods, Silk, British .. ..	—	1,09,054	—	3,05,603
Piece Goods, Silk, Foreign .. ..	—	—	—	3,976
Perfumery .. ..	—	45,009	—	39,677
Plated-ware .. ..	—	1,21,154	—	55,621
Pictures and Prints .. ..	—	25,754	—	66,108
Paints .. ..	—	28,145	—	35,028
Port Wine .. .. dozens	6,712	1,09,567	11,240	1,49,088
Printing Types .. ..	—	20,618	—	13,158
Queen's-ware .. ..	—	2,05,985	—	1,64,500
Quicksilver .. .. maunds	427	29,498	487	48,942
Rum and Arrack .. ..	—	30,542	—	3,453
Raisins .. ..	—	12,071	—	5,548
Stationery .. ..	—	2,22,126	—	2,60,975
Saddlery .. ..	—	1,27,906	—	99,440

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 687

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Great Britain.

IMPORTS—continued.				1827-28		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Ship Chandlery .. .. .				—	47,057	—	27,258
Silver-ware .. .. .				—	500	—	10,705
Salt Provision .. .. .				—	76,930	—	72,476
Steel, British .. .. .	maunds			—	—	156	2,177
Steel, Foreign .. .. .	—	576			4,684	1,004	7,542
Segars .. .. .				—	—	—	6,609
Sundries .. .. .				—	3,57,588	—	4,56,654
Spelter .. .. .	maunds	1,62,319			10,48,229	89,947	4,74,313
Sherry .. .. .				—	2,10,903	—	6,26,101
Steam Engine .. .. .				—	1,16,162	—	65,858
Silk .. .. .	maunds	195			6,901	—	—
Tin Plates and Ware .. .. .				—	40,344	—	36,971
Toys .. .. .				—	7,716	—	1,392
Timber and Planks .. .. .				—	14,502	—	8,057
Ticken and Quiltings .. .. .				—	—	—	11,056
Vinegar .. .. .				—	10,671	—	1,289
Velvets, Foreign .. .. .				—	5,074	—	729
Wine .. .. .				—	6,320	—	10,649
Wearing Apparel .. .. .				—	80,853	—	25,820
					1,89,91,756	—	2,21,81,707
Treasure .. .. .					73,620	—	2,48,101
					1,90,65,376	—	2,24,29,808
					Deduct .. .. .		1,90,65,376
					Net Increase .. .. .		33,64,432
					Increase Merchandize .. .. .		31,89,957
					Ditto, Treasure .. .. .		1,74,481
					S. Rs. 33,64,432		

# 688 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

185. Increase of value has been experienced in the importations of the under-men-  
tioned goods:

Great Britain.	IMPORTS:	INCREASE.	
		Quantity.	Value.
Anchors .. .. .	Pa.	—	4,967
Boots and Shoes .. .. .	..	—	8,822
Brandy .. .. .	..	—	88,604
Braziery .. .. .	..	—	35,506
Cabinet-Ware .. .. .	..	—	12,636
Copper, British .. .. .	..	930	—
Corals .. .. .	..	—	1,20,886
Carriages .. .. .	..	—	10,276
Claret, English .. .. .	chests	340½	75,698
Claret, Foreign .. .. .	..	—	57,842
Champaign and Burgundy .. .. .	..	—	20,234
Cards .. .. .	..	—	4,790
Cochineal .. .. .	maunds	96	43,923
Cotton Yarn, British .. .. .	..	3,381	2,09,044
Cotton Yarn, Foreign .. .. .	..	65	11,677
Cotton Twist, British .. .. .	..	9,148	7,16,271
Cotton Mule Twist, ditto .. .. .	..	6,416	5,21,084
Gunpowder .. .. .	..	—	8,980
Haberdashery .. .. .	..	—	46,279
Hats .. .. .	..	—	5,114
Hock .. .. .	..	—	14,535
Iron, British .. .. .	maunds	49,386	1,36,409
Ironmongery .. .. .	..	—	77,583
Kittisols .. .. .	..	—	8,536
Lead, British .. .. .	maunds	8,618	54,387
Lead, Foreign .. .. .	—	1,611	11,522
Looking-Glasses .. .. .	..	—	10,056
Malt Liquor * .. .. .	..	—	98,932
Metal-Ware .. .. .	..	—	8,382
Machinery .. .. .	..	—	66,972
Oilman's Stores .. .. .	..	—	2,049
Piece Goods, Cotton, British .. .. .	..	—	23,39,189
Piece Goods, Cotton, Foreign .. .. .	..	—	1,76,836
Piece Goods, Silk, British .. .. .	..	—	1,96,549
Piece Goods, Silk, Foreign .. .. .	..	—	3,976
Pictures and Prints .. .. .	..	—	40,354
Paints .. .. .	..	—	6,883

(continued.)

IMPORTS—continued.								INCREASE.	
								Quantity.	Value.
Port Wine ..	..	..	..	..	..	..	dozens	4,528	39,521
Quicksilver ..	..	..	..	..	..	..	maunds	60	19,444
Stationery ..	..	..	..	..	..	..	..	—	38,849
Silver Ware ..	..	..	..	..	..	..	..	—	10,205
Steel, British ..	..	..	..	..	..	..	maunds	156	2,177
Steel, Foreign ..	..	..	..	..	..	..	—	428	2,858
Segars ..	..	..	..	..	..	..	..	—	6,609
Sundries ..	..	..	..	..	..	..	..	—	99,066
Sherry ..	..	..	..	..	..	..	..	—	4,15,198
Ticken and Quiltings ..	..	..	..	..	..	..	..	—	11,056
Wine ..	..	..	..	..	..	..	..	—	4,329
									59,05,095
Treasure .. ..									1,74,481
									60,79,576

And decrease in the goods below-mentioned :

								DECREASE.	
								Quantity.	Value.
Anchors ..	..	..	..	..	..	..	pieces	68	—
Books ..	..	..	..	..	..	..	..	—	35,370
Brandy, Cherry ..	..	..	..	..	..	..	..	—	9,335
Brimstone ..	..	..	..	..	..	..	maunds	156	1,667
Broad Cloth and Woollen, British ..	..	..	..	..	..	..	..	—	7,45,880
Ditto .. ditto .. Foreign ..	..	..	..	..	..	..	..	—	48,790
Bottles, empty ..	..	..	..	..	..	..	..	—	25,007
Brass Ware ..	..	..	..	..	..	..	..	—	17,588*
Confectionery ..	..	..	..	..	..	..	..	—	237
Cutlery ..	..	..	..	..	..	..	..	—	14,762
Copper, British ..	..	..	..	..	..	..	maunds	—	7,068
Copper, Foreign ..	..	..	..	..	..	..	—	4,705	1,40,211
Clocks and Watches ..	..	..	..	..	..	..	..	—	28,785

(continued.)



# 690 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)

Bengal.

Great Britain.

										DECREASE.	
										Quantity.	Value.
Cordage	..	..	..	..	..	..	..	..	..	—	11,476
Corks	..	..	..	..	..	..	..	..	..	—	7,323
Canvas and Vitry	..	..	..	..	..	..	..	..	..	—	44,413
Coals	..	..	..	..	..	..	..	..	..	—	26,567
Carpets	..	..	..	..	..	..	..	..	..	—	2,343
Fowling-pieces and Pistols	..	..	..	..	..	..	..	..	..	—	32,961
Flannels and Blankets	..	..	..	..	..	..	..	..	..	—	86,310
Grocery	..	..	..	..	..	..	..	..	..	—	23,542
Glass Ware	..	..	..	..	..	..	..	..	..	—	1,26,877
Gin	..	..	..	..	..	..	..	..	..	—	5,140
Gold Thread and Lace	..	..	..	..	..	..	..	..	..	—	26,309
Gun Flint	..	..	..	..	..	..	..	..	..	—	6,206
Hosiery	..	..	..	..	..	..	..	..	..	—	18,664
Hardware	..	..	..	..	..	..	..	..	..	—	40,706
Iron, Foreign	..	..	..	..	..	..	..	..	maunds	2,219	6,705
Instruments, Musical	..	..	..	..	..	..	..	..	..	—	13,952
Ditto Mathematical and Maps	..	..	..	..	..	..	..	..	..	—	15,868
Jewellery	..	..	..	..	..	..	..	..	..	—	88,177
Lead, Red	..	..	..	..	..	..	..	..	..	—	14,999
Lead, White	..	..	..	..	..	..	..	..	..	—	5,192
Lametry	..	..	..	..	..	..	..	..	..	—	7,878
Line and Twine	..	..	..	..	..	..	..	..	..	—	4,868
Millinery	..	..	..	..	..	..	..	..	..	—	15,374
Madeira Wine	..	..	..	..	..	..	..	..	pipes	62	23,591
Medicine	..	..	..	..	..	..	..	..	..	—	34,642
Morocco Skins	..	..	..	..	..	..	..	..	..	—	8,192
Military Stores	..	..	..	..	..	..	..	..	..	—	20,000
Perfumery	..	..	..	..	..	..	..	..	..	—	5,332
Plated-Ware	..	..	..	..	..	..	..	..	..	—	65,533
Printing Types	..	..	..	..	..	..	..	..	..	—	7,460
Queen's-Ware	..	..	..	..	..	..	..	..	..	—	41,485
Rum and Arrack	..	..	..	..	..	..	..	..	..	—	27,089
Raisins	..	..	..	..	..	..	..	..	..	—	6,528
Saddlery	..	..	..	..	..	..	..	..	..	—	28,466
Ship Chandlery	..	..	..	..	..	..	..	..	..	—	19,799
Salt Provisions	..	..	..	..	..	..	..	..	..	—	4,464
Spelter	..	..	..	..	..	..	..	..	maunds	72,372	5,73,916
Steam-engines	..	..	..	..	..	..	..	..	..	—	50,304
Silk	..	..	..	..	..	..	..	..	maunds	195	6,901
Tin-plate and Ware	..	..	..	..	..	..	..	..	..	—	3,373
Toys	..	..	..	..	..	..	..	..	..	—	6,324
Timbers and Planks	..	..	..	..	..	..	..	..	..	—	6,445
Vinegar	..	..	..	..	..	..	..	..	..	—	9,382
Velvets, Foreign	..	..	..	..	..	..	..	..	..	—	4,345
Wearing Apparel	..	..	..	..	..	..	..	..	..	—	55,033
										27,15,144	

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 691

186. The value of manufactured Cotton imported from Great Britain, in the year 1828-29, is sicca rupees 74,46,164;\* being sicca rupees 25,16,025 in excess of the amount of the year 1827-28.

187. The value of Silk Piece Goods, or fabricated Silk, imported in the year under review, is sicca rupees 3,09,579;† which, contrasted with the preceding year, is an increase of sicca rupees 2,00,525.

188. We noticed in our last report that British Cottons had been so abundantly shipped out to India as to have fallen in value here below prime cost. The operations of the present year have been no less disadvantageous, from the over-trading to India. A few of the assortments of manufactured Cottons have sold at cost, exchange at 2s. the rupee; but the greater part of consignments have been disposed of at auction, or by private contract, at a considerable sacrifice of value.

189. The amount value of this Importation is sicca rupees 33,00,186;‡ or sicca rupees 14,55,076 in augmentation of the dealings in Twist for the year 1827-28.

190. The importations of this manufacture have been so abundant as to reduce sales to considerably below cost; and it is supposed that the heavy losses thus brought on the speculators have been the cause of the extensive failures that have taken place, particularly in Glasgow; the failures being chiefly amongst the spinners of Twist who have traded to India.

191. The importation of this metal, in the year under review, stands at B. maunds 89,947, value sicca rupees 4,74,313; which, contrasted with the preceding year, is a deficiency of maunds 72,372, value sicca rupees 5,73,916.

192. The previous importations of this article having been so abundant, the decrease in the supply of the year under consideration has had no beneficial effect on the state of the market; on the contrary, the importation, although short of the quantity brought in 1827-28, has exceeded the demand. The value of the article has consequently still further declined in the market. The stock is still very heavy, and even calculating upon a more moderate supply in future, it is probable that no improvement in the sale price of Spelter will take place in less than two years.

193. The amount of importation, in the year 1828-29, is maunds 45,613, value sicca rupees 17,56,122;§ presenting a comparative decrease of maunds 3,775, value sicca rupees 1,47,279; that is, an increase in the quantity of British Copper by maunds 930, but deficient

EXTERNAL.  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.

Cotton Piece  
Goods.  
Silk Piece Goods

Cotton Yarn  
or Twist.

Spelter.

Copper.

* Cotton Piece Goods	
British.....	72,64,668
Foreign .....	1,81,496
S. Rs.	<u>74,46,164</u>

† Silk Piece Goods.	
British.....	3,05,603
Foreign .....	3,976
S. Rs.	<u>3 09,579</u>

‡ Cotton Yarn or Twist.	
British.....	32,88,509
Foreign .....	11,677
S. Rs.	<u>33,00,186</u>

§ Copper.		
	Mds.	Value.
British ....	44,076	17,01,448
Foreign....	1,537	51,674
Total.....	45,613	17,56,122

# 692 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Iron and  
Ironmongery.

cient in value sicca rupees 7,068, and a decrease in Foreign Copper by bazar maunds 4,705, value sicca rupees 140,211.

194. The demand for copper has been active during the year, and the prices obtained for it advantageous.

195. Comprehending all the variety mentioned in the margin, the imported value of such goods, during the year under consideration, is given at sicca rupees 9,47,859,\* which, compared with the value of supply brought here in the year 1827-28, shows an increase of sicca rupees 1,66,581.

196. Of unwrought Iron in bars, included in the above, the importation has been maunds 174,984, value sicca rupees 6,50,996; of which British is maunds 171,221, value sicca rupees 6,24,977; and the foreign (Swedish) maunds 3,763, value sicca rupees 26,019; yielding, by comparison with the year 1827-28, an increase in the former of maunds 49,386, value sicca rupees 1,36,409, and a decrease in the latter of maunds 2,319, value sicca rupees 6,705.

197. In Ironmongery, the operations of the year 1828-29 present an increase, compared with the previous year, of sicca rupees 77,583.

198. The value of Hardware imported in the year under review is less than in 1827-28 by sicca rupees 40,706.

199. The importation of British unwrought Iron, in the year under consideration, has greatly exceeded the consumption demand of the place, and in consequence sales have not been effectable but at a discount on cost price to almost forty per cent. Swedish iron has been in partial demand.

200. Ironmongery and Hardware are articles generally difficult of sale. The market, through the year, has ranged from 15 to 25 per cent. discount on cost prices, per invoices; exchange at 2s. 6d. the rupee.

Brass and Brazicry. 201. At present an unimportant branch of our External Trade with Great Britain. The aggregate of importation, in the year 1828-29, is sicca rupees 52,970; that is, Brass-ware, sicca rupees 5,270; and Brazicry, sicca rupees 47,700; the first being deficient on the returns of the previous year by sicca rupees 17,588, and the latter in excess by sicca rupees 35,506.

Lead. 202. The importation of this metal, comprehending the two descriptions called Sheet and Pig Lead, is presented, for the year 1828-29, at maunds 29,852, value sicca rupees 2,03,310; consisting of British produce, maunds 28,241, value sicca rupees 1,91,788; and of Foreign, maunds 1,611, value sicca rupees 11,522; the former being at a comparative increase of maunds 8,618, value sicca rupees 54,387; and the latter also in excess by maunds 1,611, value sicca rupees 11,522; this appears to be a new importation.

203. The

\* Iron and Ironmongery.

Iron.....	6,50,996
Ironmongery .....	1,48,375
Hardware .....	1,46,488

S. Rs. 9,47,859

203. The quantity of these imported, in the year under consideration, has been of value sicca rupees 80,719,\* which, compared with the amount of the previous year, is a decrease of sicca rupees 20,191; notwithstanding this, the market has continued depressed, and prices far below the shipment value.

204. The importation of the year 1828-29 fell short of the value of the previous year by sicca rupees 3,373, the amount being sicca rupees 36,971 in the former, and sicca rupees 40,344 in the latter period.

205. The amount value imported in the year under consideration is sicca rupees 2,65,891, as under; *viz.* anchors, sicca rupees 61,775; cordage, sicca rupees, 80,667; canvas and vitry, sicca rupees 91,528; lines and twine, sicca rupees 4,636; and ship chandlery, sicca rupees 27,258; the comparative result being a deficiency (in value) of sicca rupees 75,589.

206. The importation of this product appears to have augmented in the year under notice, the amount being sicca rupees 2,25,232, or sicca rupees 1,20,886 above that of 1827-28.

207. The Report of the year 1828-29 gives the value of Cochineal imported at sicca rupees 71,491, in quantity maunds 142, being an excess in the result of the previous year by sicca rupees 43,923, and maunds 96.

208. The importation of the year is represented at sicca rupees 11,119, being an increase of sicca rupees 8,980 in the value of the year 1827-28.

209. The amount of importation, sicca rupees 1,02,118, being a deficiency compared with the previous year of sicca rupees 13,952.

210. The aggregate of importation of these articles, in the year under notice, is sicca rupees 16,830, which shows a comparative decline of sicca rupees 15,868.

211. The returns for the year 1828-29 present no importation of this product from the United Kingdom.

212. The exhibit for the year 1828-29 presents the importation of this article at a further decrease: the amount value of receipts is sicca rupees 72,476, or sicca rupees 4,454 below the result of the year 1827-28.

213. Have not obtained a place amongst the Imports from the United Kingdom. The value of receipts, being inconsiderable, has been ranked with sundries in the Statement for the present year.

214. The value of Imports is given at sicca rupees 25,820, which, compared with the year 1827-28, is a deficiency of sicca rupees 55,033.

215. The amount of importation in the year 1828-29 is sicca rupees 1,89,082, being a decline in the value of the previous year of sicca rupees 35,370.

216. Com-

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Lead, Red, and  
White.  
Tin Plates.  
Marine Storcs.

Corals.

Cochineal.

Gunpowder.

Musical Instru-  
ments.

Mathematical In-  
struments & Maps.

Salt.

Salt Provisions.

Shawls.

Wearing Apparel.

Books.

\* Lead, Red and White.

Red Lead .....	31,590
White ditto .....	49,129
Total .... S. Rs.	<u>80,719</u>

EXTERNAL.  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.Glass Ware.  
Stationery.Earthenware :  
called Queen's  
Ware in the  
Schedule.  
Woollens.

216. Comprehending Bottles, valued at sicca rupees 58,186; Glass-Ware assorted sicca rupees 1,87,391, and Looking-glasses, sicca rupees 13,559, is exhibited at an aggregate amount of sicca rupees 2,59,136, which, compared with the importation of the previous or year 1827-28, is a decrease of sicca rupees 1,41,828.

217. The imported value of this commodity, in the year 1828-29, is given at sicca rupees 2,60,975, which exhibits an increase of sicca rupees 38,849 on the receipts of the previous year.

218. The amount of this classification imported in the year in question, sicca rupees 1,64,500, being deficient on the receipts of the previous year 1827-28, sicca rupees 41,485.

219. Comprehending the following, the gross value of the importation of the year 1828-29 being sicca rupees 16,93,003, yielding a decrease of sicca rupees 8,83,323 on the comparison with the year immediately preceding it, *viz.*

Broad Cloth, British	..	..	..	16,05,891
Ditto .. Foreign	..	..	..	15,198
Carpets .. ..	..	..	..	12,127
Flannels and Blankets	..	..	..	59,787

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S. Rs. .. 16,93,003

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Wines & Liquors. 220. The aggregate value of the varieties comprehended in this classification, for the year under consideration, is sicca rupees 19,31,896, which, compared with the amount of the importations of the previous year, gives a result of increase equal to sicca rupees 7,44,370, in the year 1828-29, as under:—

S. Rs. 2,97,048	<i>Clarets.</i> —The value of receipts of this quality of Wines, in the year 1828-29, has been sicca rupees 2,97,048, which is a comparative increase of sicca rupees 1,33,540; much of this excess is the value of Consignments from France <i>via</i> England, to avoid the charge of additional Custom-house duties here, and also to provide carriage to India at a less rate of freight than what is paid in direct shipments from France.
— 63,549	<i>Champaign and Burgundy.</i> —The value of imports is sicca rupees 63,549, showing an advance on the previous year of sicca rupees 20,234.
— 86,984	<i>Madeira Wines.</i> —The aggregate value of shipments to Bengal, of this description of Wine, has been sicca rupees 86,984; exhibiting a decrease on the importations of 1827-28, sicca rupees 23,591.
— 1,49,088	<i>Port Wine.</i> —There appears to have been a considerable augmentation to the value of importations of this Wine. The comparative result between the years 1827-28 and 1828-29 being an increase of sicca rupees 39,521 in the period under notice.
— 6,26,101	<i>Sherry.</i> —The demand for this Wine continues active, and its use still very general; the amount of imports, during the year 1828-29, is sicca rupees 6,26,101; which, compared with the year preceding, gives an excess of sicca rupees 4,15,198 in the former period.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 695

*Vin de Grave.*—There appears to have been no importation of this description of Wine. The comparative result, therefore, is a deficiency of value sicca rupees 168, equal to the amount imported in the year 1827-28.

*Wines: Sundries*—The aggregate of all other receipts of Wines is sicca rupees 10,649; which, compared with their imported value in 1827-28, is an increase of sicca rupees 4,329. The Wines comprehended under this head, as Hock, Barsack, Sauterne, Moselle, Alba Flora, Bucollas, &c. are in very limited use.

*Brandy.*—The amount value of importations of this spirit, within the year under consideration, is sicca rupees 2,40,371; which sum, compared with the result of the year 1827-28, is an increase of sicca rupees 88,604.

*Gin.*—The value of this article imported in the year 1828-29, amounts to sicca rupees 7,220, being a deficiency of sicca rupees 5,140 on the receipts of the previous year. The use of British Gin is very limited, and offers no advantage to the importers of it.

*Rum and Arrack.*—The aggregate value of these Spirits, imported from the United Kingdom within the year in question, is sicca rupees 3,453; being a deficiency in the imports of the year 1827-28 of sicca rupees 27,089.

*Malt Liquors.*—The total value imported within the year 1828-29 is sicca rupees 4,47,430, being an advance of sicca rupees 98,932 on the amount of the receipts of the previous year.

221. The amount value of this description of Machinery imported from Great Britain, within the year 1828-29, is sicca rupees 65,858; which, contrasted with the sum of receipts in the previous year, exhibits a decrease of sicca rupees 50,304.

222. This decrease is not indicative of any relaxation in the use of machinery, which gains ground in India.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

S. Rs. 10,649

— 2,40,374

— 7,220,

— 3,453

— 4,47,430

S. Rs. 19,31,896

Steam-Engines.

## VALUE OF EXPORTS TO THE UNITED KINGDOM.

223. The aggregate of the value of Exportations to the United Kingdom, in the year 1828-29, is sicca rupees 2,70,07,907; comprehending the amount of Merchandize at sicca rupees 2,57,66,464, and of Treasure, sicca rupees 12,41,443.

Exports:  
United Kingdom.

224. The proportions of these amounts, separating the operations of the Honourable Company from those of the Private Trade, will be found comprised as under:—

	Merchandize.	Treasure.
The Honourable Company's remittances .. .. .	1,41,26,165	—
Private-Trade .. .. .	1,16,40,199	12,41,443
Total .. S. Rs.	2,57,66,464	12,41,443

# 696 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

Exports:  
United Kingdom.

225. The comparison of the transactions of the year 1828-29 with those of the preceding is a decrease, according to official value, of sicca rupees 75,78,072: occurring in Merchandize, sicca rupees 46,53,816, and in Treasure, sicca rupees 29,24,256, as represented in the following Statement:—

				1827-28.	1828-29.	Increase.	Decrease.
EXPORTS:							
Merchandize	..	..	..	3,04,20,280	2,57,66,464	—	46,53,816
Treasure	..	..	..	41,65,699	12,41,443	—	29,24,256
S. Rs.				3,45,85,979	2,70,07,907	—	75,78,072

226. The Exports to the United Kingdom, within the year under consideration have been to the Ports below mentioned; the amount value of each respectively is as under:—

				Merchandize.	Treasure.	TOTAL.
To London	..	..	..	2,37,73,487	11,72,532	2,49,46,019
Liverpool	..	..	..	19,52,299	68,911	20,21,210
Leith	..	..	..	40,678	—	40,678
				2,57,66,464	12,41,443	2,70,07,907

227. The comparative operations of the commerce of each respective Port may be stated as under:—

London Exports in 1828-29, less than the value of the preceding year by sicca rupees	..	..	..	..	..	..	..	..	74,58,197	
Liverpool ditto, ditto	..	..	..	..	..	..	..	..	1,40,559	
Greenock ditto, ditto	..	..	..	..	..	..	..	..	19,994	
									76,18,750	
Leith in excess of ditto	..	..	..							40,678
Deficiency in 1828-29	..	S. Rs.							75,87,072	

## ARTICLES EXPORTED TO THE UNITED KINGDOM.

228. The goods or articles of Merchandize exported from hence to the United Kingdom, in the year 1828-29, are detailed or described in the following Statement:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 697

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
United Kingdom.

EXPORTS:				1827-8.		1828-9.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods ..	pieces			50,654	3,05,683	32,626	1,93,010
Silk Piece Goods ..	.. —			1,53,977	13,01,174	93,529	8,34,215
Embroidered Piece Goods ..	.. —			47	1,688	180	4,198
Shawls .. ..	.. —			319	41,616	436	74,982
Indigo .. ..	maunds			1,10,391	1,55,49,593	74,896	94,40,672
Sugar .. ..	.. —			1,58,165	13,26,479	2,54,525	22,71,519
Silk .. ..	.. —			13,677	81,78,672	18,723	92,48,824
Grain .. ..	.. —			1,87,474	4,01,281	2,51,719	5,15,687
Saltpetre .. ..	.. —			2,77,074	11,50,931	2,83,987	12,41,225
Gums .. ..	.. —			2,661	22,358	445	4,565
Cotton .. ..	.. —			17,058	2,68,887	14,536	1,82,971
Gunnies and Gunny Bags ..	pieces			7,250	360	2,60,700	15,990
Lac Dye .. ..	maunds			8,377	7,74,204	7,219	5,15,429
Shell Lac .. ..	.. —			5,379	99,376	8,160	1,52,800
Stick and Seed Lac ..	.. —			1,899	8,354	571	1,315
Turmeric .. ..	.. —			7,789	23,883	10,228	34,363
Castor Oil .. ..	.. —			1,974	33,403	3,300	53,339
Safflower .. ..	.. —			1,907	47,988	2,538	66,474
Skins and Hides .. ..	.. ..			—	27,089	—	24,368
Lead, of sorts .. ..	maunds			440	1,721	4,327	8,656
Ginger .. ..	.. —			4,395	13,190	4,294	15,860
Elephants' Teeth .. ..	.. —			207	21,242	155	15,924
Sal ammoniac .. ..	.. —			392	8,011	573	9,168
Borax and Tincal .. ..	.. —			439	8,052	1,807	31,887
Salt Provision .. ..	.. ..			—	19,801	—	35,647
Canvas .. ..	.. bolts			—	—	419	3,992
Hemp, Flax and Twine ..	maunds			11,833	52,300	14,990	60,248
Soap .. ..	.. —			—	—	180	1,761
Jute Rope .. ..	.. —			4,239	9,729	14,565	25,903
Munjeet .. ..	.. —			939	8,601	2,924	17,041
Carpets and Blankets ..	pieces			782	1,258	293	6,267
Books .. ..	.. ..			—	8,740	—	17,751
Saul Timbers .. ..	.. ..			—	2,144	—	7,958
Comercolly Feathers .. ..	.. ..			—	51,820	—	31,338
Carriages .. ..	.. ..			—	—	—	5,000
Country Sundries .. ..	.. ..			—	44,158	—	55,473
Cloves .. ..	maunds			1,366	63,339	43	2,919
Nutmegs .. ..	.. —			106	9,435	19	1,729
Mace .. ..	.. —			80	8,293	3	270
Cardamums .. ..	.. —			—	—	36	4,188

(continued on next page.)



# 698 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

EXPORTS—continued.

Exports :  
United Kingdom.

		1827-8.		1828-9.	
		Quantity.	Value.	Quantity.	Value.
Madeira Wine .. .. pipes	326	1,17,455	158½	63,723	
Liquor .. ..	—	20,397	—	36,261	
Pepper .. .. maunds	6,132	51,143	813	8,500	
Copper, British .. ..	—	—	105	4,863	
Copper, Foreign .. ..	—	—	869	20,864	
Cassia .. ..	1,193	31,180	1,634	32,816	
Tin Plates and Ware .. ..	—	9,975	—	2,001	
Coffee .. .. maunds	2,159	46,007	1,067	22,399	
Rattans .. ..	—	20,311	—	35,018	
Gall Nuts .. .. maunds	1,421	30,199	728	13,185	
Sago .. ..	349	3,154	362	2,793	
Camphire .. ..	452	22,311	488	21,466	
Sappan Wood .. ..	541	2,178	1,962	7,386	
Broad Cloth and Woollen, British ..	—	2,210	—	36,244	
Cotton Piece Goods, British .. ..	—	25,822	—	12,985	
Silk ditto ditto ditto .. ..	—	860	—	2,288	
Cotton Piece Goods, Foreign .. ..	—	—	—	8,180	
Silk Piece Goods, Foreign .. ..	—	1,711	—	1,080	
Cubebs .. .. maunds	252	12,988	241	10,573	
Mother of Pearls .. ..	—	4,373	—	11,657	
Nankeens .. .. pieces	6,900	9,660	—	—	
Books, Foreign .. ..	—	8,831	—	32,509	
Tortoise-shell .. .. maunds	25	19,515	35	40,132	
Gums, Foreign .. ..	294	1,871	2,305	21,680	
Instruments, Musical .. ..	—	—	—	19,327	
Europe Sundries .. ..	—	83,276	—	63,808	
		3,04,20,280	—	2,57,66,464	
Treasure .. ..		41,65,699	—	12,41,443	
		3,45,85,979	—	2,70,07,907	
Deduct .. ..		2,70,07,907			
Net Decrease .. S. Rs.		75,78,072			
Decrease, Merchandize .. ..	46,53,816				
Ditto Treasure .. ..	29,24,256				
S. Rs.	75,78,072				

229. Increase has occurred in the value of the under-mentioned Goods:—

EXTERNAL  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.

Exports:  
United Kingdom.

						INCREASE.	
						Quantity.	Value.
Embroidered Piece Goods	..	..	..	..	pieces	133	2,510
Shawls	..	..	..	..	—	117	33,360
Sugar	..	..	..	..	maunds	96,360	9,45,040
Silk	..	..	..	..	—	5,046	10,70,152
Grain	..	..	..	..	—	64,235	1,14,408
Saltpetre	..	..	..	..	—	6,913	90,294
Gunnies and Gunny Bags	..	..	..	..	pieces	2,53,450	15,630
Shell Lac	..	..	..	..	maunds	2,781	53,224
Turnerick	..	..	..	..	—	2,439	10,480
Castor Oil	..	..	..	..	—	1,326	19,936
Safflower	..	..	..	..	—	631	8,486
Seeds, of sorts	..	..	..	..	—	3,887	6,935
Ginger	..	..	..	..	—	—	2,670
Sal ammoniac	..	..	..	..	—	181	1,157
Borax and Tincal	..	..	..	..	—	1,368	23,835
Salt Provision	..	..	..	..	—	—	15,846
Canvas	..	..	..	..	bolts	419	3,992
Hemp, Flax, and Twine	..	..	..	..	maunds	3,157	7,948
Soap	..	..	..	..	—	180	1,761
Jute Rope	..	..	..	..	—	10,326	16,174
Munjeet	..	..	..	..	—	1,985	8,440
Carpets and Blankets	..	..	..	..	..	—	5,009
Books	..	..	..	..	..	—	9,011
Saul Timber	..	..	..	..	..	—	5,814
Carriages	..	..	..	..	..	—	5,000
Country Sundries	..	..	..	..	..	—	11,315
Cardamums	..	..	..	..	maunds	36	4,188
Liquor	..	..	..	..	..	—	15,864
Copper, British	..	..	..	..	maunds	105	4,863
Copper, Foreign	..	..	..	..	—	869	20,864
Cassia	..	..	..	..	—	441	1,636
Rattans	..	..	..	..	..	—	14,707
Sago	..	..	..	..	maunds	13	—
Camphire	..	..	..	..	—	36	—
Sappan Wood	..	..	..	..	—	1,421	5,208
Broad Cloth and Woollen, British	..	..	..	..	—	—	34,034
Silk Piece Goods, British	..	..	..	..	..	—	1,428
Cotton Piece Goods, Foreign	..	..	..	..	..	—	8,180
Mother of Pearl	..	..	..	..	..	—	7,284
Books, Foreign	..	..	..	..	..	—	23,678
Tortoise-shell	..	..	..	..	..	10½	20,617
Gums, Foreign	..	..	..	..	..	2,011	19,809
Instruments, Musical	..	..	..	..	..	—	19,327
						S. Rs.	27,00,118

EXTERNAL  
AND INTERNAL  
COMMERCE.

230. And decrease, as compared with the operations of the year 1827-28, on the shipment of Goods, as below enumerated, viz.—

(1.)

Bengal.

Exports:  
United Kingdom.

						DECREASE.	
						Quantity.	Value.
Cotton Piece Goods	..	..	..	..	pieces	18,028	1,12,673
Silk Piece Goods	..	..	..	..	—	60,448	4,66,959
Indigo	..	..	..	..	maunds	35,495	61,08,921
Gums	..	..	..	..	—	2,216	17,793
Cotton	..	..	..	..	—	2,552	85,916
Lac Dye	..	..	..	..	—	1,158	2,58,775
Stick and Seed Lac	..	..	..	..	—	1,328	7,039
Skins and Hides	..	..	..	..	..	—	2,721
Ginger	..	..	..	..	maunds	101	—
Elephants' Teeth	..	..	..	..	—	52	5,318
Carpets and Blankets	..	..	..	..	pieces	489	—
Comercolly Feathers	..	..	..	..	..	—	20,482
Cleves	..	..	..	..	maunds	1,323	60,420
Nutmegs	..	..	..	..	—	87	7,706
Mace	..	..	..	..	—	77	8,023
Madeira Wine	..	..	..	..	pipes	167½	52,732
Pepper	..	..	..	..	maunds	5,319	42,643
Tin Plates and Ware	..	..	..	..	..	—	7,974
Coffee	..	..	..	..	maunds	1,092	23,608
Gall Nuts	..	..	..	..	—	692	17,014
Sago	..	..	..	..	..	—	391
Camphire	..	..	..	..	..	—	845
Cotton Piece Goods, British	..	..	..	..	..	—	12,837
Silk .. ditto .. Foreign	..	..	..	..	..	—	631
Cubebs	..	..	..	..	maunds	11	2,415
Nankeens	..	..	..	..	pieces	6,900	9,660
Europe Sundries	..	..	..	..	..	—	19,448
Treasure						..	73,53,934
							29,24,256
						S. Ra.	1,02,78,190

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 701

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports:  
United Kingdom.

231. In paragraph 223, we have given the value of Goods shipped to the United Kingdom, at sicca rupees 2,70,07,907 ; but, according to the rule adopted in paragraph 183, the state of the Export Trade with Great Britain, in the year under consideration, will be found to be as follows :—

The Honourable Company's Investments, valuation given at cost,	S. Rs.	1,41,26,165
The Private Trade .. .. .	S. Rs.	1,28,81,742
Add difference of value on maunds 63,737 of Indigo, at 130		
per maund .. .. .		82,85,810
Add of maunds 5,114 of Raw Silk, at 3/12 per seer ..		7,67,100
Add 5 per cent. on the sum of Exports, less Treasure, sicca		
rupees 1,16,40,299 .. .. .		5,82,015
		<hr/> 22,51,667
Approximate Value of Exports .. ..	S. Rs.	<hr/> 3,66,42,832

232. This, compared with a similar average for the previous year, will give the result at sicca rupees 96,55,403 deficiency in the year under consideration.

233. But if we compare the official value of the two years, the difference will be found to be a decrease, in the year 1828-29, of sicca rupees 75,78,072.

234. Comparing the Exportations on account of the Honourable Company with the value of Shipments for Private Trade, the difference will be found to be, the latter less than the former, by sicca rupees 12,44,423 ; but if we add to the amount of the Private Trade, the difference between official and market value on Indigo and Raw Silk, and moreover enhance the aggregate of official valuation 5 per cent., so as to bring it to an equality with the valuation that is given of the Honourable Company's investments, we shall find the Private Trade to exceed the valuation of the Honourable Company's investments by sicca rupees 83,90,517.

235. Comparing the official value of the Imports with the Exports to the United Kingdom, in the year 1828-29, the latter will be found to exceed the former by sicca rupees 45,78,099 ; produced by the following exhibit of the respective Trades ; viz.

Honourable Company's Imports .. ..	3,98,330
Ditto .. ditto .. Exports .. ..	1,41,26,165
Exports exceeding Imports by .. ..	<hr/> 1,37,27,835
Private Trade Imports .. ..	2,20,31,478
Ditto .. Exports .. ..	1,28,81,742
Imports in excess of Exports .. ..	<hr/> 91,49,736
Exports above Imports .. ..	S. Rs. <hr/> 45,78,099

# 702 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
United Kingdom.

236. The discrepancy, or rather deficiency, in the value of Exports on Private Trade compared with its Imports, is met by the difference between official and market value of Indigo and Raw Silk ; and where this is insufficient, the deficit is provided for by bills.

## GENERAL OBSERVATIONS on the TRADE with GREAT BRITAIN.

237. The Trade with Great Britain, in the articles of Cotton Piece Goods and Twist, the most conspicuous of our Imports, was carried within this year to a very large extent, so as to have exceeded, we fear, much, the consumption demand for them. The import also of all other articles has far exceeded the demand. The mischievous effect of this state of things, and of the increase of the paper currency, has already begun to be felt, and must be more and more experienced, we conceive, until a totally different system is adopted.

## FRANCE.

Imports :  
France.

238. The intercourse with this Kingdom, in the year 1828-29, in commercial relations, and as regards Importations from thence, amounted to sicca rupees 22,04,250 ; of which value, Merchandize or Goods involve sicca rupees 17,10,434, and Treasure sicca rupees 4,93,816. The result, compared with the transactions of the previous year, gives a decrease of sicca rupees 1,08,216, comprehending a decline in the value of Treasure sicca rupees 4,34,730, and an increase on that of merchandize, sicca rupees 3,26,514.

239. The articles imported from France are detailed in the following Schedule :

					1827-28.		1828-29.	
					Quantity.	Value.	Quantity.	Value.
IMPORTS :								
Alum .. .. .	maunds	—	—	987	3,826			
Beads .. .. .	.. .. .	—	432	—	13,348			
Brandy .. .. .	.. .. .	—	1,51,075	—	3,68,576			
Brimstone .. .. .	maunds	6,300	14,012	1,833	6,526			
Broad Cloth and Woollen, Foreign .. .. .	.. .. .	—	37,107	—	11,210			
Confectionery .. .. .	.. .. .	—	15,896	—	11,809			
Copper, Foreign .. .. .	maunds	654	23,512	650	27,022			
Corals .. .. .	.. .. .	—	20,449	—	4,843			
Corks .. .. .	.. .. .	—	20,395	—	17,744			
Claret, Foreign .. .. .	.. .. .	—	1,91,881	—	5,11,934			
Champaign and Burgundy .. .. .	.. .. .	—	88,149	—	1,10,636			
Cards .. .. .	.. .. .	—	260	—	3,587			
Cochineal .. .. .	maunds	8	5,430	134	51,808			

(continued)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 703

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports:  
France.

## FRANCE.—IMPORTS—continued.

	1927-28.		1928-29.	
	Quantity.	Value.	Quantity.	Value.
Cloves .. .. . maunds	661	34,744	1,514	46,238
Fowling-Pieces and Pistols .. .. .	—	6,461	—	540
Grocery .. .. .	—	4,691	—	1,869
Glass-Ware .. .. .	—	16,339	—	20,271
Gold Thread and Lace .. .. .	—	5,726	—	14,974
Iron, British .. .. . maunds	812	4,768	489	2,674
Iron, Foreign .. .. .	290	1,201	—	—
Instruments, Musical .. .. .	—	11,792	—	9,698
Jewellery .. .. .	—	6,929	—	1,449
Lead, Foreign .. .. . maunds	512	3,324	3,549	20,314
Mercery .. .. .	—	4,807	—	—
Millinery .. .. .	—	1,98,425	—	1,54,657
Malt Liquor .. .. .	—	11,524	—	7,547
Medicine .. .. .	—	5,351	—	1,375
Oilman's Stores .. .. .	—	19,760	—	14,647
Piece Goods, Cotton, Foreign .. .. .	—	18,832	—	27,180
Ditto .. Silk Ditto .. .. .	—	1,51,110	—	22,725
Perfumery .. .. .	—	19,339	—	11,820
Queen's Ware .. .. .	—	561	—	4,478
Quicksilver .. .. . maunds	—	—	83	6,720
Stationery .. .. .	—	8,756	—	13,382
Salt Provision .. .. .	—	19,047	—	15,928
Sundries .. .. .	—	79,375	—	84,142
Spelter .. .. . maunds	10,111	69,873	11,018	67,470
Vin de Grave .. .. .	—	173	—	11,944
Velvets, Foreign .. .. .	—	92,148	—	779
Wines .. .. .	—	20,266	—	5,744
		13,83,920	—	17,10,434
Treasure .. .. .		9,28,546	—	4,93,816
		23,12,466	—	22,04,250
Deduct .. .. .		23,04,250		
Net Decrease .. .. .		1,08,216		
Decrease Treasure .. .. .				4,34,730
Deduct Increase Merchandize .. .. .				3,26,514
		S. Rs.	1,08,216	

240. Comparing the Importations of 1828-29 with those of the preceding year, the results are as follow, viz.: Increase in the articles and wares mentioned below to the comparative extent of sicca rupees 7,10,811, as under, viz.:

(1.)  
Bengal.

Imports :  
France.

FRANCE.—IMPORTS :										INCREASE.	
										Quantity.	Value.
Alum	..	..	..	..	..	..	..	maunds		987	3,826
Beads	..	..	..	..	..	..	..	..		—	12,916
Brandy	..	..	..	..	..	..	..	..		—	2,17,501
Copper, Foreign	..	..	..	..	..	..	..	..		—	3,510
Claret, Foreign	..	..	..	..	..	..	..	..		—	3,20,053
Champaign and Burgundy	..	..	..	..	..	..	..	..		—	22,487
Cards	..	..	..	..	..	..	..	..		—	3,327
Cochineal	..	..	..	..	..	..	..	maunds		126	46,378
Cloves	..	..	..	..	..	..	..	..		853	11,494
Glass-Ware	..	..	..	..	..	..	..	..		—	3,932
Gold Thread and Lace	..	..	..	..	..	..	..	..		—	9,248
Lead, Foreign	..	..	..	..	..	..	..	maunds		3,037	16,990
Piece Goods, Cotton, Foreign	..	..	..	..	..	..	..	..		—	8,348
Queen's Ware	..	..	..	..	..	..	..	..		—	3,917
Quicksilver	..	..	..	..	..	..	..	maunds		83	6,720
Stationery	..	..	..	..	..	..	..	..		—	3,626
Sundries	..	..	..	..	..	..	..	..		—	4,767
Spelter	..	..	..	..	..	..	..	..		907	—
Vin de Grave	..	..	..	..	..	..	..	..		—	11,771
											7,10,811

241. The comparative decrease or decline in value of goods imported, in the year under consideration, is sicca rupees 8,19,027, occurring in the following cases:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 705

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports:  
France.

FRANCE.—IMPORTS:										DECREASE.	
										Quantity.	Value.
Brimstone .. .. .	maunds	4,467	7,486								
Broad Cloth and Woollen, Foreign .. .. .		—	25,897								
Confectionery .. .. .		—	4,087								
Corals .. .. .		—	15,606								
Corks .. .. .		—	2,651								
Fowling-Pieces and Pistols .. .. .		—	5,921								
Grocery .. .. .		—	2,822								
Iron, British .. .. .	maunds	323	2,094								
Iron, Foreign .. .. .	—	290	1,201								
Instuments, Musical .. .. .		—	2,094								
Jewellery .. .. .		—	5,480								
Mercery .. .. .		—	4,807								
Millinery .. .. .		—	43,768								
Malt Liquor .. .. .		—	3,977								
Medicines .. .. .		—	3,976								
Oilman's Stores .. .. .		—	5,113								
Piece Goods, Silk, Foreign .. .. .		—	1,28,385								
Perfumery .. .. .		—	7,519								
Salt Provisions .. .. .		—	3,119								
Spelter .. .. .	maunds	—	2,403								
Velvets, Foreign .. .. .		—	91,369								
Wines .. .. .		—	14,522								
Treasure .. .. .										3,84,297	
										4,34,730	
										8,19,027	

242. The aggregate value of goods and wares exported hence to France, within the year 1828-29, was sicca rupees 23,87,107; which, compared with the amount of shipments in the previous year, is a deficiency of sicca rupees 3,12,697; of which sum sicca rupees 2,99,197 is apportioned to merchandize, and sicca rupees 13,500 to treasure.

243. The details of goods and wares exported to France are represented in the following Statement:

Exports:  
France.



# 706 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
France.

					1827-28.		1828-29.	
					Quantity.	Value.	Quantity.	Value.
FRANCE.—EXPORTS :								
Silk Piece Goods	..	..	pieces	314	3,140	961	8,169	
Shawls	..	..	—	—	—	4	650	
Indigo	..	..	maunds	22,187	22,18,756	19,067	19,06,709	
Sugar	..	..	—	3,258	26,075	7,462	59,750	
Grain	..	..	—	1,650	2,275	29,924	49,032	
Saltpetre	..	..	—	23,215	1,01,372	41,561	1,61,407	
Gums	..	..	—	511	5,403	173	1,542	
Cotton	..	..	—	732	6,088	110	913	
Gunnies and Gunny Bags	..	..	pieces	24,253	3,281	15,000	800	
Lac Dye	..	..	maunds	772	76,055	351	31,571	
Shell Lac	..	..	—	318	6,282	189	3,774	
Turmeric	..	..	—	4,128	14,065	13,042	47,499	
Castor Oil	..	..	—	—	—	4	144	
Safflower	..	..	—	3,213	79,570	230	5,517	
Soap	..	..	—	—	—	15	100	
Skins and Hides	..	..	.. ..	—	255	—	360	
Country Sundries	..	..	.. ..	—	9,074	—	12,923	
Liquor	..	..	.. ..	—	1,410	—	6,597	
Pepper	..	..	maunds	3,697	42,076	—	—	
Coffee	..	..	—	2,386	47,785	674	16,406	
Camphire	..	..	—	392	19,995	—	—	
Broad Cloth and Woollen, British	..	..	.. ..	—	8,182	—	358	
Gums, Foreign	..	..	maunds	—	—	1,054	10,475	
Tea	..	..	chests	36	1,490	89	5,716	
Glass-Ware	..	..	.. ..	—	—	—	5,478	
Tin	..	..	maunds	—	—	1,442	31,428	
Europe Sundries	..	..	.. ..	—	13,675	—	19,789	
Treasure					..	26,86,304	—	23,87,107
						13,500		—
Deduct					..	26,99,804		23,87,107
						23,87,107		
						3,12,697		
Decrease, Merchandize					..	S. Rs.	2,99,197	
Ditto .. Treasure					..	..	13,500	
						S. Rs.	3,12,697	

244. The fluctuations of increase in the value of particular goods are enumerated below, amounting in the result to sicca rupees 2,46,686, as per Statement, viz.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 707

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
France.

FRANCE.—EXPORTS:								INCREASE.	
								Quantity.	Value.
Silk Piece Goods	..	..	..	..	..	..	pieces	647	5,029
Shawls	..	..	..	..	..	..	—	4	650
Sugar	..	..	..	..	..	..	maunds	4,204	33,675
Grain	..	..	..	..	..	..	—	28,274	46,757
Saltpetre	..	..	..	..	..	..	—	18,346	60,035
Turmeric	..	..	..	..	..	..	—	8,914	33,434
Castor Oil	..	..	..	..	..	..	—	4	144
Soap	..	..	..	..	..	..	—	15	100
Skins and Hides	..	..	..	..	..	..	..	—	105
Country Sundries	..	..	..	..	..	..	..	—	3,849
Liquor	..	..	..	..	..	..	..	—	5,187
Gums, Foreign	..	..	..	..	..	..	maunds	1,054	10,475
Tea	..	..	..	..	..	..	.. chests	53	4,226
Glass-Ware	..	..	..	..	..	..	..	—	5,478
Tin	..	..	..	..	..	..	maunds	1,442	31,428
Europe Sundries	..	..	..	..	..	..	..	—	6,114
S.Rs.								2,46,686	

And decrease in the value of goods exported hence, amounting to sicca rupees 5,59,383, as represented in the following Statement, *viz.*

FRANCE.—EXPORTS:								DECREASE.	
								Quantity.	Value.
Indigo	..	..	..	..	..	..	maunds	3,120	3,12,047
Gums	..	..	..	..	..	..	—	338	3,861
Cotton	..	..	..	..	..	..	—	622	5,176
Gunnies and Gunny Bags	..	..	..	..	..	..	.. pieces	9,250	2,481
Lac Dye	..	..	..	..	..	..	maunds	421	44,484
Shell Lac	..	..	..	..	..	..	—	129	2,508
Safflower	..	..	..	..	..	..	—	2,983	74,053
Pepper	..	..	..	..	..	..	—	3,697	42,076
Coffee	..	..	..	..	..	..	—	1,712	31,379
Camphire	..	..	..	..	..	..	—	392	19,995
Broad Cloth and Woollens, British	..	..	..	..	..	..	..	—	7,824
Treasure								5,45,883	
								13,500	
								5,59,383	

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.Exports :  
France.

245. The gross amount value of the trade with France, in the year 1828-29, was sicca rupees 45,91,357 ; this, compared with the sum of commerce in 1827-28, shows a deficiency of sicca rupees 4,20,913. The comparison between the imports and exports of the year under review, is an excess of the latter of sicca rupees 1,82,857, according to the official numbers ; but if the true bearings of the case be required to be known, the following may be taken as giving a result approximating to truth, *viz.*

## IMPORTS :

Value of Goods .. .. .	17,10,434
Add, 15 per cent. to bring the value of falsified invoices to truth	2,56,565
Value of Treasure .. .. .	4,93,816
	<hr/> 24,60,815

## EXPORTS :

Value of Goods .. .. .	23,87,107
Add, 5 per cent. .. .. .	1,19,355
Add, in maunds 19,067 of Indigo, at 130 per maund .. .. .	24,78,710
	<hr/> 49,85,172

Exports exceed Imports by .. .. .	S. Rs.	25,24,357
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which excess is provided for by bills on London.

## Tonnage.

246. The tonnage employed in this trade, in the year under review, consisted of 34 vessels, tons 10,564, in arrivals ; and 34 vessels ; tons 11,005, in departures ; being a comparative increase of nine vessels, tons 2,417, in the former, and of nine vessels, tons 3,207, in the latter, as shown in paragraph 168.

247. Considering the extent of our relations with France, the fluctuation in the amount of imports may be regarded as of no moment ; in the details, however, some important varieties may be remarked. The increase in the imported value of brandy was sicca rupees 2,17,501 ; of clarets, sicca rupees 3,20,053 ; of Champaign and Burgundy, sicca rupees 22,487, and of Vin de Grave, sicca rupees, 11,771. The amount of these was counter-balanced by reductions in the value of woollens, sicca rupees 25,897 ; of corals, sicca rupees 15,606 ; of jewellery, sicca rupees 5,480 ; of millinery, sicca rupees 43,768 ; of silk piece goods, sicca rupees 1,28,385 ; of velvets, sicca rupees 91,369 ; and in the value of treasure, sicca rupees 4,34,730.

248. The outward investments from France in this year were found to be unsaleable by private arrangements, and almost all of them were disposed of at auction. The clarets sold from 2, 8, to 10 rupees per dozen ; Champaign and Burgundy averaged about 16 per dozen ; and brandies about one rupee two annas per gallon. The whole import trade was understood to have produced a loss of about 20 per cent.

249. The export trade fluctuated to a greater extent, the comparative decrease being (as already shewn) sicca rupees 312,697. The principal reduction took place in indigo, the exported value of which is sicca rupees 3,12,047 less than that of 1827-28. The exportation of lac dye had considerably fallen, as also safflower, pepper, coffee, and camphire. The principal increase or augmentation in the value of exported commodities occurred on sugar, saltpetre, grain, turmeric and tin.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 709

## HAMBURGH.

250. The trade with Hamburgh, in the year under consideration, like that of the preceding year, consisted exclusively of imports, the amount of which was sicca rupees 373,232; being, by a comparison with the preceding year, an increase of sicca rupees 2,99,320.

251. The articles imported from Hamburgh are detailed in the following table :

IMPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Broad Cloth and Woollen, Foreign ..	—	17,578	—	40,938
Cotton Yarn, Foreign .. maunds	25	3,658	—	—
Cotton Twist, British ..	—	—	207	12,396
Ditto, Foreign ..	—	—	462	68,797
Cotton Mule Twist ..	12	2,096	—	—
Glass Ware ..	—	3,766	—	7,388
Gin ..	—	11,452	—	33,973
Hosiery ..	—	—	—	6,160
Hardware ..	—	4,700	—	—
Iron, Foreign .. maunds	—	—	372	2,107
Millinery ..	—	—	—	12,354
Piece Goods, Cotton, Foreign ..	—	118	—	55,429
Sundries ..	—	10,070	—	56,648
Spelter .. maunds	3,851	20,474	14,303	77,042
		73,912	..	3,73,232
			Deduct ..	73,912
			Net Increase .. S. Rs.	2,99,320

252. The comparative increase and decrease being as under :

INCREASE :					
On Broad Cloth and Woollen, Foreign ..	..	..	..	..	23,360
Cotton Twist, British ..	..	..	..	..	12,396
Cotton Twist, Foreign ..	..	..	..	..	68,797
Glass Ware ..	..	..	..	..	3,622
Gin ..	..	..	..	..	22,521
Hosiery ..	..	..	..	..	6,160
Iron, Foreign ..	..	..	..	..	2,107
Millinery ..	..	..	..	..	12,354
Piece Goods, Cotton, Foreign ..	..	..	..	..	55,311
Sundries ..	..	..	..	..	46,578
Spelter ..	..	..	..	..	56,568
				S. Rs.	3,09,774

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Hamburgh.

# 710 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Hamburgh.

## DECREASE:

On Cotton Yarn .. .. .	3,658
Cotton Mule Twist .. .. .	2,096
Hardware .. .. .	4,700
	<b>S. Rs. 10,454</b>

253. Only one vessel, of tons 254, under the British flag, arrived here from Hamburgh, and she returned to Great Britain. The proceeds of the outward investments were remitted or returned by bills of exchange on London. The loss on this adventure was, we believe, great, being not less upon an average than 33 per cent., which it is feared will discourage or narrow future operations.

## SWEDEN.

Sweden.

254. The aggregate of the trade with Sweden in the year 1828-29, amounted to sicca rupees 2,57,083, in official valuation; which, compared with the previous year, is an increase of sicca rupees 86,114.

255. The imports from Sweden are represented at sicca rupees 82,761, affording a comparative increase of sicca rupees 3,269, as per following Statement:

IMPORTS.	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Copper, Foreign .. .. maunds	1,812	45,911	638	16,140
Iron, ditto .. .. —	1,715	6,315	13,630	55,190
pitch and Tar .. .. .	—	3,653	—	2,390
Steel, Foreign .. .. maunds	5,542	20,639	1,430	8,571
Sundries .. .. .	—	2,974	—	470
		<b>79,492</b>		<b>82,761</b>
		Deduct .. .. .		79,492
		Net increase .. .. .	S. Rs.	<b>3,269</b>

256. The increase occurs in the article of iron, the importation of which exceeds the amount of 1827-28 by sicca rupees 48,875; the decrease is involved in the following, to the extent respectively mentioned, *viz.*

	Sicca Rupees.
On Copper, maunds 1,174 .. .. .	29,771
Pitch and Tar .. .. .	1,263
Steel, maunds 4,112 .. .. .	12,068
Sundries .. .. .	2,504
	<b>S. Rs. 45,606</b>

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 711

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Sweden.

257. The articles imported from Sweden are of a character and description generally in demand here, although only to a limited quantity. The out-turn of this trade is also generally supposed to be advantageous to the importers.

258. The aggregate value of the exports, in official numbers, was sicca rupees 1,74,322, presenting an increase of sicca rupees 82,845 compared with the previous year, as per following Schedule :

EXPORTS.	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Silk Piece Goods .. .. pieces	—	—	80	620
Indigo .. .. maunds	355	35,503	345	34,513
Sugar .. .. —	5,199	41,575	15,719	1,25,708
Grain .. .. —	1,100	3,015	—	—
Cotton .. .. —	522	4,453	1,282	10,668
Ginger .. .. —	60	179	50	150
Country Sundries .. .. ..	—	3,077	—	242
Europe Sundries .. .. ..	—	3,675	—	2,421
		91,477	—	1,74,322
	Deduct .. .. ..			91,477
	Net Increase .. .. S. Rs.			82,845

259. The articles shipped to Sweden, on which there was an increase, consisted of the following :

On Silk Piece Goods, in pieces 80 .. .. .	S. Rs.	620
Sugar, maunds 10,520 .. .. .	..	84,133
Cotton Wool, maunds 760 .. .. .	..	6,215
	S. Rs.	90,968

260. The decrease occurred in the following goods, viz.

On Indigo, maunds 10 .. .. .	S. Rs.	990
Grain, maunds 1,100 .. .. .	..	3,015
Ginger, maunds 10 .. .. .	..	29
Country Sundries .. .. .	..	2,835
Europe Sundries .. .. .	..	1,254
	S. Rs.	8,123

## 712      THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Sweden.

261. The difference between imports and exports is sicca rupees 91,561, in official valuation, the latter being so much greater than the former; but if we give the proximate value to the exports, the amount of difference will be sicca rupees 1,43,351, as per mentioned Statement, *viz.*

Amount of Imports .. .. .	S. Rs.	82,761
Amount of Exports .. .. .	1,74,322	
Add, in maunds 345 of Indigo, at 130 per maund .. ..	44,850	
Add, 5 per cent. on sicca rupees 1,38,810, the amount Exports less the value of Indigo .. .. .	6,940	
	2,26,112	
Exports in excess of Imports ..	S. Rs.	1,43,351

in which, difference has been met or adjusted upon English credit.

262. The vessels employed in this trade, during the year 1828-29, are one vessel, of tons 468, upon arrivals; and three upon departures, equal to tons 745: the two that appear in excess upon the arrivals were vessels of the previous year, that took their departure from hence within the present year.

### PORTUGAL.

Portugal.

263. Our commerce with this kingdom in the year under consideration, was without importations, and the aggregate of shipments was sicca rupees 1,12,433. The comparative difference being a decrease equal to sicca rupees 2,79,476.

264. The valued decline of our import trade with Portugal, compared with the previous year, was sicca rupees 1,98,043, as per following Statement:

IMPORTS:				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Foreign ..	maunds			2,299	78,620	—	—
Picce Goods Foreign ..	..			—	1,809	—	—
Sundries .. ..	..			—	6,689	—	—
					87,118		—
Treasure .. ..	..				1,10,925		—
					1,98,043		—

All decrease.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 713

265. The gross value of shipments to Portugal, during the year 1828-29, was sicca rupees 1,12,433; which, compared with the amount of exportations in the year 1827-28, is a deficiency of sicca rupees 81,433, as shown in the following exhibit:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Portugal.

EXPORTS:	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. pieces	54,002	1,39,699	20,045	60,802
Silk Piece Goods .. .. —	2,093	15,466	1,050	6,975
Indigo .. .. maunds	144	14,428	—	—
Grain .. .. —	4,000	7,750	4,000	10,000
Saltpetre .. .. —	936	3,858	2,116	7,517
Gunnies and Gunny Bags pieces	15,000	2,250	25,800	1,322
Hemp, Flax, and Twine maunds	—	—	140	1,880
Country Sundries .. .. ..	—	640	—	1,617
Nankcens .. .. pieces	—	—	11,275	13,911
Tea .. .. chests	59	3,935	—	—
Europe Sundries .. .. ..	—	5,840	—	8,409
		1,93,866	—	1,12,433
Deduct .. ..		1,12,433		
Net Decrease .. S. Rs.		81,433		

266. The fluctuations are detailed in the subjoined Statement, viz.

## INCREASE:

On Grain, value .. .. .	S. Rs.	2,250
Saltpetre, maunds 1,180 .. .. .	..	3,659
Gunny Bags, increase in quantity, pieces 10,800.		
Hemp, Flax, and Twine, maunds 140 .. .. .	..	1,880
Country Sundries .. .. .	..	977
Nankcens, pieces 11,275 .. .. .	..	13,911
Europe Sundries .. .. .	..	2,569
	S. Rs.	25,246



# 714 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Portugal.

## DECREASE :

On Cotton Piece Goods, pieces 33,957	..	..	S. Rs.	78,897
Silk Piece Goods — 1,043	..	..	..	8,491
Indigo, from the absence of exportation in the year under review, maunds 144	..	..	..	14,428
Gunnies, decrease in value	..	..	..	928
Tea, chests 59	..	..	..	3,935
				<hr/>
				S. Rs. 1,06,679

267. The difference between imports and exports, in the year 1828-29, taking the official valuation, is sicca rupees 1,12,433, the latter above the former ; but if we reckon in the approximate amount of exports according to the calculations that have been assumed, that is, by adding five per cent. to the official sum of shipments (sicca rupees 5,621), the difference will be found to be sicca rupees 1,18,054, which was, doubtless, paid for by drafts on English credit.

268. There were no arrivals of vessels from Portugal in the year under notice ; and but one ship appears amongst the departures.

269. In our reports for the last five years, we have remarked on the progressive decline of our trade with Portugal. The exhibit of the year under consideration places it almost on the point of suspension.

## GIBRALTAR AND MALTA.

Gibraltar and  
Malta.

270. The year under consideration, like the preceding, presents no operations or intercourse with Gibraltar and Malta. We may therefore consider this part of our external commerce as abandoned for the present.

## ASIA.

Asia

271. The aggregate of our commerce with the ports and states of Asia, in the year 1828-29, was sicca rupees 2,77,10,456 ; which, compared with the previous year, is a deficiency of sicca rupees 1,16,18,685.

272. Of the above-mentioned amount, imports comprehend sicca rupees 93,46,218 ; and exports, sicca rupees 1,83,64,238 ; the former, compared with the year 1827-28, is deficient sicca rupees 72,10,090 ; and the latter, sicca rupees 44,08,595, as exhibited in the following Statement :

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 715

IMPORTS :	1827-28.			1828-29.		
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
Coast of Coromandel ..	4,20,933	61,877	4,82,810	3,99,569	1,31,561	5,31,130
Coast of Malabar ..	4,34,651	150	4,34,801	5,86,354	2,12,287	7,98,641
Coast of Sumatra ..	2,16,160	34,961	2,51,121	—	—	—
Ceylon .. ..	2,19,313	—	2,19,313	33,170	—	33,170
Maldiv Islands ..	1,01,278	—	1,01,278	89,374	—	89,374
Arabian and Persian Gulfs	12,66,807	8,60,241	21,27,048	4,93,981	2,84,300	7,78,281
Penang and Eastward ..	3,65,980	1,68,823	5,34,803	11,55,227	4,93,533	16,48,760
Java .. ..	5,06,371	4,86,338	9,92,709	1,25,117	15,828	1,40,945
Manilla .. ..	39,486	14,549	54,035	6,960	24,750	31,710
Pegue .. ..	3,50,893	21,24,252	24,75,145	3,97,146	18,28,145	22,25,291
China .. ..	21,70,668	64,18,027	85,88,695	16,63,521	13,80,307	30,43,828
New South Wales ..	2,25,467	69,083	2,94,550	25,088	—	25,088
S. Rs.	63,18,007	1,02,38,301	1,65,56,308	49,75,507	43,70,711	93,46,218

EXPORTS :	1827-28.			1828-29.		
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
Coast of Coromandel ..	8,74,966	—	8,74,966	6,51,227	—	6,51,227
Coast of Malabar ..	14,93,262	—	14,93,262	17,09,272	—	17,09,272
Coast of Sumatra ..	55,613	—	55,613	—	—	—
Ceylon .. ..	61,929	—	61,929	29,286	—	29,286
Maldiv Islands ..	56,922	—	56,922	51,271	—	51,271
Arabian and Persian Gulfs	22,53,421	1,013	22,54,434	17,98,927	—	17,98,927
Penang and Eastward ..	11,38,076	—	11,38,076	28,66,083	3,02,250	31,68,333
Java .. ..	7,75,023	—	7,75,023	1,74,299	—	1,74,299
Manilla .. ..	1,63,549	—	1,63,549	—	—	—
Pegue .. ..	9,89,152	—	9,89,152	9,35,162	—	9,35,162
China .. ..	1,46,90,342	81,775	1,47,72,117	97,69,876	—	97,69,876
New South Wales ..	1,35,540	2,250	1,37,790	76,585	—	76,585
S. Rs.	2,26,87,795	85,038	2,27,72,833	1,80,61,980	3,02,250	1,83,64,238

# 716 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

## THE COAST OF COROMANDEL.

273. The gross amount of our trade with the coast of Coromandel in the year 1828-29, was sicca rupees 11,82,357, in which, compared with the result of the previous year, is a decrease of sicca rupees 1,75,419.

274. The aggregate of imports, in the year under consideration, was sicca rupees 5,31,130; comprehending the receipts of treasure, value sicca rupees 1,31,561; and of merchandize, sicca rupees 3,99,569. The comparative result between the years being an increase to the value of sicca rupees 48,320, made up by an increase on treasure sicca rupees 69,684, and a decrease on merchandize sicca rupees 21,364, as exemplified in the following table:

IMPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Beads .. .. .	—	6,031	—	183
Brandy .. .. .	—	3,926	—	5,400
Benjamin .. .. maunds	—	—	156	4,202
Broad Cloth and Woollen, British ..	—	3,283	—	16,150
Copper, British .. .. maunds	84	3,557	133	5,469
Copper, Foreign .. .. —	109	3,906	—	—
Coir .. .. .	2,407	8,966	192	528
Corals .. .. .	—	20,443	—	—
Claret, English .. .. chests	8½	3,415	6½	2,640
China Paper .. .. .	—	—	—	4,914
Chanks .. .. .	—	46,392	—	65,272
Cocoa-Nuts .. .. .	—	4,856	—	660
Cocoa-Nut Oil .. .. maunds	1,817	16,654	483	3,347
Cocoa-Nut Kernel .. .. —	789	3,466	3,081	8,373
Cardamums .. .. .	8	619	67	7,907
Cloves .. .. .	208	12,462	253	11,465
Ghee .. .. .	216	3,464	410	7,067
Grain .. .. .	794	706	5,158	5,310
Indigo .. .. .	61	6,891	209	20,902
Indigo Seeds .. .. .	1,511	4,921	132	526
Millinery .. .. .	—	150	—	6,795
Madeira Wine .. .. pipes	1½	650	11½	5,060
Piece Goods, Cotton, British .. ..	—	870	—	5,415
Ditto .. ditto .. Foreign ..	—	1,37,873	—	32,555
Ditto .. Silk .. Ditto ..	—	878	—	2,693
Port Wine .. .. .	—	—	492	6,156
Pepper .. .. .	705	8,231	18	181
Rum and Arrack .. .. .	—	—	—	5,712

(continued.)

(1.)  
Bengal

Imports :  
Coast of  
Coromandel.

IMPORTS— <i>continued</i> .				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Sandal Wood .. ..	maunds	288	2,589	68	685		
Sappan Wood .. ..	—	250	1,231	6,006	12,375		
Skins and Hides .. ..	—	—	11,262	—	18,762		
Sundries .. ..	—	—	67,822	—	76,750		
Spelter .. ..	maunds	—	—	499	2,961		
Sherry .. ..	—	—	192	—	7,158		
Timber and Planks .. ..	—	—	—	—	16,771		
Tin .. ..	maunds	811	24,404	416	11,400		
Tea .. ..	chests	30	1,950	170	6,143		
Velvet, Foreign .. ..	—	—	7,070	—	—		
Wax .. ..	maunds	45	2,003	270	11,682		
				4,20,933	—	3,99,569	
Treasure .. ..	—	61,877	—	—	1,31,561		
				4,82,810	—	5,31,130	
				Deduct .. ..	—	4,82,810	
				Net Increase .. ..	S. Rs.	48,320	

275. The fluctuations on the value of the goods imported were as under ; *viz.*

IMPORTS :				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Beads .. ..	—	—	—	—	5,848		
Brandy .. ..	—	1,474	—	—	—		
Benjamin .. ..	maunds	156	4,202	—	—		
Broad Cloth and Woollen, British .. ..	—	12,867	—	—	—		
Copper, British .. ..	maunds	49	1,912	—	—		
Copper, Foreign .. ..	—	—	109	3,906			
Coir .. ..	—	—	2,215	8,438			
Corals .. ..	—	—	—	20,443			
Claret, English .. ..	chests	—	14	775			
China Paper .. ..	—	4,914	—	—	—		

# 718 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

### IMPORTS—continued.

Imports:  
Coast of  
Coromandel.

					INCREASE.		DECREASE.	
					Quantity.	Value.	Quantity.	Value.
Chanks	..	..	..	..	—	18,880	—	—
Cocoa-Nuts	..	..	..	..	—	—	—	3,996
Cocoa-Nut Oil	..	..	maunds	..	—	—	1,334	13,307
Cocoa-Nut Kernel	..	..	—	..	2,292	4,907	—	—
Cardamums	..	..	—	..	59	7,288	—	—
Cloves	..	..	—	..	45	—	—	997
Ghee	..	..	—	..	194	3,603	—	—
Grain	..	..	—	..	4,364	4,604	—	—
Indigo	..	..	—	..	148	14,011	—	—
Indigo Seeds	..	..	—	..	—	—	1,379	4,395
Millinery	..	..	—	..	—	6,645	—	—
Madeira Wine	..	..	pipes	..	104	4,410	—	—
Piece Goods, Cotton, British	..	..	..	..	—	4,545	—	—
Ditto	..	ditto	..	Foreign	—	—	—	1,05,318
Ditto	..	Silk	..	Ditto	—	1,815	—	—
Port Wine	..	..	dozens	..	492	6,156	—	—
Pepper	..	..	maunds	..	—	—	687	8,050
Rum and Arrack	..	..	..	..	—	5,712	—	—
Sandal Wood	..	..	maunds	..	—	—	220	1,904
Sappan Wood	..	..	—	..	5,756	11,144	—	—
Skins and Hides	..	..	..	..	—	7,500	—	—
Sundries	..	..	..	..	—	8,928	—	—
Spelter	..	..	maunds	..	499	2,961	—	—
Sherry	..	..	..	..	—	6,966	—	—
Timber and Planks	..	..	..	..	—	16,771	—	—
Tin	..	..	maunds	..	—	—	395	13,004
Tea	..	..	..	..	140	4,193	—	—
Velvet, Foreign	..	..	..	..	—	—	—	7,070
Wax	..	..	maunds	..	225	9,679	—	—

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 719

EXTERNAL  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.

Exports :  
Coast of  
Coromandel.

			1827-28.		1828-29.	
EXPORTS :			Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods ..	pieces	11,864	21,788	2,591	5,282	
Silk Piece Goods ..	—	8,742	44,053	16,495	70,934	
Embroidered ditto ditto ..	—	161	1,806	722	7,478	
Shawls ..	—	14	3,680	14	1,086	
Sugar ..	maunds	4,429	35,531	5,328	41,843	
Silk ..	—	685	1,83,917	779	2,06,774	
Grain ..	—	72,025	1,06,183	47,203	70,785	
Saltpetre ..	—	212	1,050	220	979	
Long Pepper and Roots ..	—	1,259	17,665	1,047	11,204	
Gunnies and Gunny Bags ..	pieces	28,075	2,577	69,875	5,216	
Seeds, of sorts ..	maunds	5,042	12,258	3,122	6,071	
Ginger ..	—	1,113	3,351	610	1,842	
Salt Provision ..	—	—	2,676	—	14,220	
Borax and Tincal ..	maunds	242	4,466	312	5,811	
Canvas ..	bolts	1,778	21,582	70	640	
Hemp, Flax and Twine ..	maunds	269	2,828	56	434	
Saul Timber ..	—	—	3,196	—	12,039	
Carriages and Palanquins ..	pieces	12	9,285	7	4,400	
Country Sundries ..	—	—	44,822	—	21,273	
Madeira Wine ..	pipes	24	6,420	7	2,643	
Copper, British ..	maunds	411	17,089	101	4,185	
Copper, Foreign ..	—	1,045	42,429	122	4,502	
Tin Plates and Ware ..	—	—	7,792	—	—	
Broad Cloth and Woollen, British ..	—	—	29,289	—	1,886	
Cotton Piece Goods, British ..	—	—	22,163	—	6,776	
Ditto ditto, Foreign ..	—	—	25,415	—	2,166	
Pictures and Prints ..	—	—	6,390	—	—	
Cutlery ..	—	—	200	—	6,928	
Tea ..	chests	107	7,287	12	1,008	
Glass-Ware ..	—	—	22,683	—	8,486	
Iron, British ..	maunds	4,298	17,547	5,676	21,254	
Spelter ..	—	858	8,010	243	1,876	
Medicine ..	—	—	313	—	14,539	
Corals ..	—	—	12,253	—	2,554	
Stationery ..	—	—	1,080	—	6,390	
Hosiery ..	—	—	13,176	—	—	
Europe Sundries ..	—	—	1,12,716	—	77,723	
			8,74,966	—	6,51,227	
Deduct .. ..			6,51,227			
Net Decrease .. S. Rs.			2,23,739			

277. The changes that were felt in the value of the goods exported from hence to the coast of Coromandel are detailed in the following exhibit :

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.Exports :  
Coast of  
Coromandel.

## EXPORTS :

				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces	—	—	—	9,273	16,506
Silk ditto	.. ..	—	7,753	26,881	—	—	—
Embroidered ditto	..	—	561	5,672	—	—	—
Shawls	.. ..	—	—	—	—	—	2,594
Sugar	.. ..	maunds	899	6,312	—	—	—
Silk	.. ..	—	94	22,857	—	—	—
Grain	.. ..	—	—	—	—	24,822	35,398
Saltpetre	.. ..	—	8	—	—	—	71
Long Pepper and Roots	..	—	—	—	—	212	6,461
Gunnies and Gunny Bags	..	pieces	41,800	2,639	—	—	—
Seeds, of sorts	.. ..	maunds	—	—	—	1,920	6,187
Ginger	.. ..	—	—	—	—	503	1,509
Salt Provision	.. ..	.. ..	—	11,544	—	—	—
Borax and Tincal	..	maunds	70	1,345	—	—	—
Canvas	.. ..	bolts	—	—	—	1,708	20,942
Hemp, Flax and Twine	..	maunds	—	—	—	213	2,394
Saul Timber	.. ..	.. ..	—	8,843	—	—	—
Carriages and Palanquin	..	pieces	—	—	—	5	4,885
Country Sundries	.. ..	.. ..	—	—	—	—	23,549
Madeira Wine	.. ..	.. pipes	—	—	—	17	3,777
Copper, British	.. ..	maunds	—	—	—	310	12,904
Copper, Foreign	.. ..	—	—	—	—	923	37,927
Tin Plates and Wares	.. ..	.. ..	—	—	—	—	7,792
Broad Cloth and Woollen, British	..	—	—	—	—	—	27,403
Cotton Piece Goods, British	.. ..	—	—	—	—	—	15,387
Ditto ditto Foreign	.. ..	.. ..	—	—	—	—	23,249
Pictures and Prints	.. ..	.. ..	—	—	—	—	6,390
Cutlery	.. ..	.. ..	—	6,728	—	—	—
Tea	.. ..	chests	—	—	—	95	6,279
Glass-Ware	.. ..	.. ..	—	—	—	—	14,197
Iron, British	.. ..	maunds	1,378	3,707	—	—	—
Spelter	.. ..	—	—	—	—	615	6,134
Medicine	.. ..	.. ..	—	14,226	—	—	—
Corals	.. ..	.. ..	—	—	—	—	9,699
Stationery	.. ..	.. ..	—	5,310	—	—	—
Hosiery	.. ..	.. ..	—	—	—	—	13,176
Europe Sundries	.. ..	.. ..	—	—	—	—	34,993
				S. Rs.	1,16,064		3,39,803

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 721

278. The difference between imports and exports, in the year under consideration, is sicca rupees 1,20,097, which is made up by bills on Madras, and partly by the importations of salt. The trade of the coast of Coromandel involves many articles of small value, and is sustained almost entirely by small coasting vessels.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Coast of  
Coromandel.

## COAST OF MALABAR.

279. The gross value of our intercourse with the coast of Malabar, in the past year, was sicca rupees 25,07,913, being an increase of sicca rupees 5,79,850 on the operations of the previous year.

Imports :  
Coast of Malabar.

280. The amount of our receipts from ports and places on the Malabar coast, in the year under consideration, was sicca rupees 7,98,641 ; comprising the value of merchandize, sicca rupees 5,86,354 ; and of treasure, sicca rupees 2,12,287 ; the comparative result of the two years being an increase of sicca rupees 3,63,840 ; contained in an improvement on the value of merchandize sicca rupees 1,51,703, and of treasure, sicca rupees 2,12,137, as illustrated in the following Schedule :

				1827-28.		1828-29.	
IMPORTS :				Quantity.	Value.	Quantity.	Value.
Almonds .. ..	maunds	200	1,335	736	5,340		
Alum .. ..	—	155	659	3,085	12,661		
Beads .. ..	.. ..	—	3,925	—	16,798		
Copper, Foreign .. ..	maunds	29	1,143	523	22,407		
Corals .. ..	.. ..	—	1,380	—	8,690		
Corals, false .. ..	.. ..	—	1,513	—	8,517		
Coffee .. ..	maunds	362	5,918	1,111	24,428		
Cocoa-nut Oil .. ..	—	928	6,658	1,743	8,217		
Ditto Kernel .. ..	—	2,138	8,689	12,373	36,915		
Cotton Yarn, British .. ..	—	7	597	103	10,912		
Cotton Twist, Ditto .. ..	—	—	—	799	47,889		
Cotton Mule Twist, ditto .. ..	—	397	24,207	114	4,875		
Cardamums .. ..	—	217	24,330	187	22,418		
Cotton .. ..	—	5,375	61,926	183	2,192		
Glass-Ware .. ..	.. ..	—	120	—	7,601		
Ghee .. ..	maunds	428	5,582	—	—		
Hardware .. ..	.. ..	—	6,649	—	—		

(continued.)



722 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

IMPORTS—continued.

Imports :

Coast of Malabar.								
Iron, British	..	..	..	maunds	313	2,697	98	304
Indigo	..	..	..	—	—	—	115	11,530
Jewellery	..	..	..	.. ..	—	5,625	—	—
Lead, Foreign	..	..	..	maunds	194	11,496	—	—
Lamita	..	..	..	.. ..	—	—	—	9,233
Madeira Wine	..	..	..	pipes	8	3,200	—	—
Nankeens	..	..	..	pieces	9,800	13,091	8,590	8,990
Piece Goods, Cotton, British	..	..	..	.. ..	—	44,433	—	61,254
Piece Goods, Cotton, Foreign	..	..	..	.. ..	—	2,480	—	12,632
Ditto .. Silk .. ditto	..	..	..	.. ..	—	10,941	—	8,120
Pepper	..	..	..	maunds	1,557	18,478	3,200	38,331
Pearls	..	..	..	.. ..	—	24,338	—	24,643
Quicksilver	..	..	..	maunds	—	—	54	5,915
Sandal Wood	..	..	..	—	1,221	12,526	257	2,237
Salt	..	..	..	—	—	—	9,512	28,536
Seeds, of Sorts	..	..	..	—	634	8,125	—	—
Sundries	..	..	..	.. ..	—	72,408	—	1,10,851
Timber and Planks	..	..	..	.. ..	—	400	—	4,760
Tea	..	..	..	chests	912	46,012	35	1,750
Vermilion	..	..	..	.. ..	—	3,770	—	17,408
						4,34,651	—	5,86,354
Treasure .. ..						150	—	2,12,287
						4,34,801	—	7,98,641

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 723

281. The fluctuations on the imports of the year are detailed in the following exhibit :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports :  
Coast of Malabar.

IMPORTS :				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Almonds .. ..	maunds	536	4,005	—	—		
Alum .. ..	—	2,930	12,002	—	—		
Beads .. ..	.. ..	—	12,873	—	—		
Copper, Foreign .. ..	maunds	494	21,264	—	—		
Corals .. ..	.. ..	—	7,310	—	—		
Corals, False .. ..	.. ..	—	7,004	—	—		
Coffee .. ..	maunds	749	18,510	—	—		
Cocoa-nut Oil .. ..	—	815	1,559	—	—		
Cocoa-nut Kernel .. ..	—	10,235	28,226	—	—		
Cotton Yarn, British .. ..	—	96	10,315	—	—		
Cotton Twist, Ditto .. ..	—	799	47,889	—	—		
Cotton Mule Twist, Ditto .. ..	—	—	—	283	19,332		
Cardamums .. ..	—	—	—	30	1,912		
Cotton .. ..	—	—	—	5,192	59,734		
Glass-Ware .. ..	.. ..	—	7,481	—	—		
Ghee .. ..	.. ..	—	—	428	5,582		
Hardware .. ..	.. ..	—	—	—	6,649		
Iron, British .. ..	maunds	—	—	215	2,393		
Indigo .. ..	—	115	11,530	—	—		
Jewellery .. ..	.. ..	—	—	—	5,625		
Lead, Foreign .. ..	maunds	—	—	194	11,496		
Lamata .. ..	.. ..	—	9,233	—	—		
Madcira Wine .. ..	.. pipes	—	—	8	3,200		
Nankeens .. ..	pieces	—	—	1,210	4,101		
Piece Goods, Cotton, British .. ..	.. ..	—	16,821	—	—		
Piece Goods, Cotton, Foreign .. ..	.. ..	—	10,152	—	—		
Piece Goods, Silk, Ditto .. ..	.. ..	—	—	—	2,821		
Pepper .. ..	maunds	1,643	19,853	—	—		
Pearls .. ..	.. ..	—	305	—	—		
Quicksilver .. ..	maunds	54	5,915	—	—		
Sandal Wood .. ..	—	—	—	964	10,289		
Salt .. ..	—	9,512	28,536	—	—		
Seeds, of Sorts .. ..	—	—	—	634	8,125		
Sundries .. ..	.. ..	—	38,443	—	—		
Timber and Planks .. ..	.. ..	—	4,360	—	—		
Tca .. ..	chests	—	—	877	44,262		
Vermilion .. ..	.. ..	—	13,638	—	—		
				3,37,224	1,85,521		
Treasure .. ..				2,12,137	—		
				5,49,361	1,85,521		

# 724 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Coast of Malabar.

282. The aggregate of shipments to the ports and places on the coast of Malabar, in the year 1828-29, amounted to sicca rupees 17,09,272; which, compared with the year 1827-28, is an increase to the value of sicca rupees 2,16,010, as exemplified in the following Statement:

EXPORTS :			1827-28.		1828-29.	
			Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces	17,325	31,318	6,392	21,322
Silk Piece Goods	..	—	88,846	4,71,444	68,878	3,60,891
Embroidered ditto	..	—	276	4,009	—	—
Indigo	..	maunds	177	17,704	102	10,286
Sugar	..	—	12,941	1,04,437	62,524	4,93,410
Silk	..	—	766	1,70,867	465	1,05,277
Grain	..	—	1,03,552	1,66,595	1,06,570	1,90,951
Saltpetre	..	—	3,570	12,640	230	948
Gunnies and Gunny Bags	..	pieces	11,11,150	90,363	22,52,435	1,43,378
Skins and Hides	..	—	—	120	—	327
Shell Lac	..	maunds	843	14,480	62	997
Stick Lac	..	—	1,586	16,419	628	4,337
Ginger	..	—	543	1,635	521	1,502
Borax and Tincal	..	—	219	4,365	151	3,019
Long Pepper and Roots	..	—	1,335	17,839	768	6,798
Canvas	..	bolts	488	3,721	732	5,318
Hemp, Flax and Twine	..	maunds	188	2,021	427	3,287
Carriages	..	pieces	13	13,608	17	18,700
Tobacco	..	maunds	31	155	230	1,153
Country Sundries	..	..	—	23,497	—	13,808
Liquor	..	..	—	2,184	—	14,901
Copper, British	..	maunds	383	14,992	155	6,146
Copper, Foreign	..	—	57	2,440	—	—
Broad Cloth and Woollen, British	..	—	—	1,61,532	—	1,32,733
Cotton Piece Goods, Ditto	..	—	—	4,784	—	48,744
Ditto ditto, Foreign	..	—	—	17,448	—	11,407
Silk ditto, British	..	—	—	6,260	—	—
Ditto, ditto, Foreign	..	—	—	12,230	—	867
Cochineal	..	maunds	—	—	49	20,214
Pearls, Diamonds, and Emeralds	..	—	—	—	—	15,000
Millinery	..	..	—	3,467	—	19,705
Corals	..	..	—	11,200	—	—
Iron, British	..	maunds	4,931	21,032	309	977
Corks	..	..	—	—	—	5,050
Lead, British	..	maunds	1,031	7,650	—	—
Cordage	..	..	—	—	—	5,032
Europe Sundries	..	..	—	60,806	—	42,457
			14,93,262		—	17,09,272
			Deduct .. ..		14,93,262	
			Net Increase .. ..		2,16,010	

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 725

283. The changes that mark the operations of the year are contained in the following Statement :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports:  
Coast of Malabar.

EXPORTS:	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. picces	—	—	10,933	9,996
Silk Piece Goods .. ..	—	—	19,968	1,10,553
Embroidered ditto .. ..	—	—	276	4,009
Indigo .. .. maunds	—	—	75	7,418
Sugar .. ..	49,583	3,88,973	—	—
Silk .. ..	—	—	301	65,590
Grain .. ..	3,018	24,356	—	—
Saltpetre .. ..	—	—	3,340	11,692
Gunnies and Gunny Bags .. .. picces	11,41,285	53,015	—	—
Skins and Hides .. ..	—	207	—	—
Shell Lac .. .. maunds	—	—	781	13,483
Stick Lac .. ..	—	—	958	12,082
Ginger .. ..	—	—	22	73
Borax and Tincal .. ..	—	—	68	1,346
Long Pepper and Roots .. ..	—	—	567	11,041
Canvas .. .. bolts	244	1,597	—	—
Hemp, Flax and Twine .. .. maunds	239	1,266	—	—
Carriages .. .. pieces	4	5,092	—	—
Tobacco .. .. maunds	199	998	—	—
Country Sundries .. ..	—	—	—	9,689
Liquor .. ..	—	12,717	—	—
Copper, British .. .. maunds	—	—	228	8,846
Copper, Foreign .. ..	—	—	57	2,440
Broad Cloth and Woollen, British .. ..	—	—	—	28,799
Cotton Piece Goods, British .. ..	—	43,960	—	—
Ditto, Foreign .. ..	—	—	—	6,041
Silk ditto, British .. ..	—	—	—	6,260
Ditto ditto, Foreign .. ..	—	—	—	11,363
Cochineal .. .. maunds	49	20,214	—	—
Pearls, Diamonds, and Emeralds .. ..	—	15,000	—	—
Millinery .. ..	—	16,238	—	—
Corals .. ..	—	—	—	11,200
Iron, British .. .. maunds	—	—	4,622	20,055
Corks .. ..	—	5,050	—	—
Lead, British .. .. maunds	—	—	1,031	7,650
Cordage .. ..	—	5,302	—	—
Europe Sundries .. ..	—	—	—	18,349
		5,93,985	—	3,77,975

284. The comparative difference between the imports and exports, in the year under consideration, was sicca rupees 9,10,631, the former less than the latter. This great deficiency in the value of imports is met by bills of exchange between the Presidencies of

# 726 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Coast of Malabar.

Bombay and Bengal, by importations of salt, which do not enter into our trade reports, and by various small parcels of corals, jewellery, and precious stones, which are smuggled here.

285. The import trade with the coast of Malabar consists, to a large amount, in the productions of Europe reshipped to this place for a market. In the produce of China, Ceylon, and Sumatra; those belonging to Malabar, are cardamums, indigo, indigo seed, pepper, saïdal wood, timber, and wax.

## CEYLON.

Ceylon.

286. The amount of our commercial intercourse with the island of Ceylon, in the year under consideration, was sicca rupees 62,456; which, compared with the value of operations in the preceding year, is a deficiency of sicca rupees 2,18,786.

Imports.

287. The aggregate value of importations from the island, in the year under consideration, was sicca rupees 33,170, presenting a comparative deficiency of sicca rupees 1,86,143 on the amount of the year 1827-28, as per Statement:

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Coir	..	..	maunds	1,494	6,453	272	749
Chanks	..	..	.. ..	—	1,45,559	—	—
Cocoa-nuts	..	..	.. ..	—	21,821	—	6,523
Cocoa-nut Oil	..	..	maunds	2,665	18,613	1,023	6,090
Pepper	..	..	.. —	1,169	14,507	1,524	18,294
Sandal Wood	..	..	.. —	603	4,219	—	—
Sundries	..	..	.. ..	—	8,141	—	1,514
				2,19,313		33,170	
Deduct .. ..				33,170			
Net Decrease .. S.Rs.				1,86,143			

288. The increase and decrease in the value of imported goods are exhibited in the following Table:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 727

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Ceylon:  
Imports.

	Increase.	Decrease.
Coir, maunds 1,222 .. .. .	—	5,704
Chanks .. .. .	—	1,45,559
Cocoa-nuts .. .. .	—	15,298
Cocoa-nut Oil, maunds 1,642 .. .. .	—	12,523
Pepper, maunds 355 .. .. .	3,787	—
Sandal Wood, maunds 603 .. .. .	—	4,219
Sundries .. .. .	—	6,627
S. Rs.	3,787	1,89,930

289. The amount of shipments to Ceylon, in the year 1828-29, was sicca rupees 29,288, showing a comparative decrease on the value of the previous year of sicca rupees 32,643, as per following Statement :

Exports.

	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
EXPORTS:				
Cotton Piece Goods .. pieces	220	220	25	200
Silk ditto .. ..	529	2,971	—	—
Sugar .. .. maunds	109	859	93	744
Grain .. ..	1,700	3,000	4,200	6,588
Gunnies and Gunny Bags pieces	56,100	2,526	35,000	3,361
Hemp, Flax, and Twine maunds	41	386	21	291
Country Sundries .. ..	—	8,302	—	2,539
Madeira Wine .. .. pipes	20	10,900	—	—
Liquor .. ..	—	936	—	9,246
Cotton Piece Goods, British ..	—	10,557	—	4,361
Ditto ditto, Foreign ..	—	4,515	—	—
Iron, British .. .. maunds	908	5,069	—	—
Europe Sundries .. ..	—	11,688	—	1,956
		61,929	—	29,286
Deduct .. ..		29,286		
Net Decrease .. ..		32,643		

# 708 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

### (1.) Bengal.

### Exports : Ceylon.

290. The changes in the valuation of our exported goods are detailed in the annexed account, *viz.*

	Increase.	Decrease.
Cotton Piece Goods, 195 pieces .. .. .	—	20
Silk Piece Goods, pieces 529 .. .. .	—	2,971
Sugar, maunds 16 .. .. .	—	115
Grain, maunds 2,500 .. .. .	3,588	3,588
Gunnies and Gunny Bags, decrease in quantity, pieces 21,100	835	—
Hemp, Flax, and Twine, maunds 20 .. .. .	—	95
Country Sundries .. .. .	—	5,763
Madeira Wine, pipes 20 .. .. .	—	10,900
Liquor .. .. .	8,310	—
Cotton Piece Goods, British .. .. .	—	6,196
Ditto ditto, Foreign .. .. .	—	4,515
Iron, British, maunds 908 .. .. .	—	5,069
Europe Sundries .. .. .	—	9,732
S. Rs.	12,733	45,376

291. The difference between the valuation of imports and exports is sicca rupees 3,884, the extraordinary fluctuations in the value of imported goods is attributable to the non-receipt of chanks in the year under consideration, which has occasioned the loss of sicca rupees 1,45,559 upon the Trade Lists, and also to a considerable reduction in the quantity of cocoa-nut oil and cocoa-nuts.

### COAST OF SUMATRA.

Coast of Sumatra. 292. There was no direct intercourse between Bengal and the ports on the coast of Sumatra in the year under consideration. The comparative result may be given as under :

Imports. 293. Deficiency on the value of imported goods equal to the amount of receipts in the previous year, or sicca rupees 2,51,121.

Exports. 294. Deficiency, under the operations noticed in the foregoing paragraph, sicca rupees 55,613.

295. We may consider the trade between Sumatra and Bengal as now nearly abandoned.

296. The following Statements exhibit, in detail, the value of the goods that were imported from, and exported hence to, Sumatra.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 729

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Coast of Sumatra.

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Benjamin	..	..	maunds	98	2,300	—	—
Pepper	..	..	—	22,418	2,10,428	—	—
Sundries	..	..	.. ..	—	3,432	—	—
					2,16,160		
Treasure .. ..					34,961		
					2,51,121		

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods			pieces	2,816	4,651	—	—
Silk Piece Goods	..	..	—	1,408	5,439	—	—
Behar Opium	..		chests	8	10,880	—	—
Benares ditto	..	..	—	5	6,525	—	—
Malwa ditto	..	..	—	10	14,325	—	—
Country Sundries	..	..	..	—	7,392	—	—
Europe Sundries	..	..	..	—	6,401	—	—
					55,613		

## MALDIVE ISLANDS.

297. The amount value of our external trade with the islands of the Maldives, in the year under consideration, was sicca rupees 1,40,645, being a decrease of sicca rupees 17,555 upon the aggregate of the previous year.

Maldivc Islands.

298. The gross value of importations from the islands was sicca rupees 89,374, which is a decrease of sicca rupees 11,904 on the amount of the previous year, as per Statement :

Imports.



# 780 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
<b>IMPORTS :</b>							
<b>(1.)</b>							
<b>Bengal.</b>							
<b>Imports :</b>							
Maldive Islands.	Coir	..	maunds	5,990	28,741	5,856	16,397
	Cocoa-nuts	..	..	—	55,607	—	46,796
	Cowries	..	maunds	1,094	4,133	895	3,086
	Sundries	..	..	—	661	—	1,206
	Tortoise-shell	..	..	—	12,136	—	21,889
					1,01,278	—	89,374
Deduct					89,374		
Net Decrease					11904		

299. The fluctuations that have taken place are as noted below, viz.

								Increase.	Decrease.
Coir, maunds 134	..	..	..	..	..	..	..	—	12,344
Cocoa-nuts	..	..	..	..	..	..	..	—	8,811
Cowries, maunds 199	..	..	..	..	..	..	..	—	1,047
Sundries	..	..	..	..	..	..	..	545	—
Tortoise-shell	..	..	..	..	..	..	..	9,753	—
S. Rs.								10,298	22,202

300. The amount of shipments to the Maldive islands is sicca rupees 51,271, which, compared with the previous year, is a decline of sicca rupees 5,651 on the valuation of exportations made in the year 1827-28, as exhibited below, viz.

				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
<b>EXPORTS :</b>							
Cotton Piece Goods	..	pieces		216	837	61	132
Silk ditto	..	..		20	60	—	—
Sugar	..	maunds		267	2,127	209	1,670
Grain	..	..		33,225	49,300	31,700	48,300
Tobacco	..	..		—	—	24	118
Country Sundries	..	..		—	4,598	—	244
Europe Sundries	..	..		—	—	—	809
					56,922	—	51,271
Deduct					51,271		
Net Decrease					5,651		

301. The fluctuations that mark the transactions of the year 1828-29 are given in the following Table:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports -  
Maldiv Islands.

	Increase.	Decrease.
Cotton Piece Goods, pieces 155 .. .. .	—	705
Silk ditto, ditto 20 .. .. .	—	60
Sugar maunds 58 .. .. .	—	457
Grain, maunds 1,525 .. .. .	—	1,000
Tobacco, maunds 24 .. .. .	118	—
Country Sundries .. .. .	—	4,354
Europe Sundries .. .. .	807	—
S. Rs.	925	6,576

302. The difference between the valuation of importations and exportations is sicca rupees 38,103, the former more than the latter; and as the trade with the Maldiv islands is sustained by vessels belonging to the islands, we cannot account for the discrepancy but by assuming that the balance is met by shipments of coin or bullion, which are not entered in the books of the custom-house.

#### PENANG AND EASTWARD.

303. The amount value of our transactions with this portion of the Eastern Archipelago, for the year 1828-29, was sicca rupees 48,17,093, being sicca rupees 31,44,214 above the aggregate of the previous year.

Penang and  
Eastward.

304. The value of our imports from the ports and places comprised in this arrangement was sicca rupees 16,48,760, comprehending merchandize, sicca rupees 11,55,227, and treasure, sicca rupees 4,93,533: the comparison between the two years embraced in this review being a gross increase, in the year 1828-29, of sicca rupees 11,13,597, contained on an improved importation of merchandize to the value of sicca rupees 7,89,247, and of treasure, sicca rupees 3,24,710; as shown in the following Statement:

Imports.

# 792 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

Imports:  
Penang and East-  
ward.

					1827-28.		1828-29.	
IMPORTS:					Quantity.	Value.	Quantity.	Value.
Books .. .. .	..	..	..	..	—	100	—	9,000
Brandy .. .. .	..	..	..	..	—	—	—	8,245
Beetlenuts .. ..	..	..	..	maunds	14,682	38,123	7,527	15,517
Benjamin .. .. .	..	..	..	—	—	—	245	4,817
Broad Cloth and Woollen, Foreign .. ..	..	..	..	—	—	6,564	—	6,000
Copper, Foreign .. ..	..	..	..	—	—	—	3,085	1,45,608
Coffee .. .. .	..	..	..	maunds	—	—	815	9,133
China Petty Goods .. ..	..	..	..	..	—	—	—	6,057
Cutch .. .. .	..	..	..	maunds	6,110	13,557	8,343	21,599
Long Pepper and Roots .. ..	..	..	..	—	—	—	708	7,976
Mace .. .. .	..	..	..	—	41	5,441	51	5,136
Nutmegs .. .. .	..	..	..	—	147	14,828	405	37,791
Pepper .. .. .	..	..	..	—	12,361	1,13,115	27,494	2,52,207
Rattans .. .. .	..	..	..	..	—	6,156	—	13,934
Sappan Wood .. ..	..	..	..	maunds	2,787	11,154	11,629	44,444
Sago .. .. .	..	..	..	—	254	2,689	607	3,525
Skins and Hides .. ..	..	..	..	..	—	—	—	6,694
Segars .. .. .	..	..	..	..	—	472	—	11,010
Sundries .. .. .	..	..	..	..	—	36,279	—	53,041
Spelter .. .. .	..	..	..	maunds	—	—	9,276	58,645
Tin .. .. .	..	..	..	—	3,997	11,386	15,663	4,00,487
Tortoise-shell .. ..	..	..	..	..	—	—	—	7,488
Wax .. .. .	..	..	..	maunds	94	4,216	379	17,293
Wearing Apparel .. ..	..	..	..	..	—	—	—	9,580
Treasure .. ..						3,65,980	—	11,55,227
						1,68,823	—	4,93,533
						5,34,803	—	16,48,760
							Deduct .. ..	5,34,803
							Net Increase .. ..	11,13,957
Increase Merchandize .. .. .						S. Rs. 7,89,247		
Ditto Treasure .. .. .						3,24,710		
						S.Rs. 11,13,957		

305. The increase and decrease on the various articles imported, during the year under consideration, are given in the following Table:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 733

IMPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Books .. .. .	—	8,900	—	—
Brandy .. .. .	—	8,245	—	—
Beetlenuts .. .. maunds	—	—	7,155	22,606
Benjamin .. .. .	245	4,817	—	—
Broad Cloth and Woollens, Foreign .. ..	—	—	—	564
Copper, Foreign .. .. maunds	3,085	1,45,608	—	—
Coffee .. .. .	815	9,133	—	—
China Petty Goods .. .. .	—	6,057	—	—
Cutch .. .. . maunds	2,233	8,042	—	—
Long Pepper and Roots .. .. .	708	7,976	—	—
Mace .. .. . maunds	10	—	—	305
Nutmegs .. .. .	258	22,963	—	—
Pepper .. .. .	15,133	1,39,092	—	—
Rattans .. .. .	—	7,778	—	—
Sappan Wood .. .. .	8,842	33,290	—	—
Sago .. .. .	353	836	—	—
Skins and Hides .. .. .	—	6,694	—	—
Segars .. .. .	—	10,538	—	—
Sundries .. .. .	—	16,762	—	—
Spelter .. .. . maunds	9,276	58,645	—	—
Tin .. .. .	11,666	2,87,201	—	—
Tortoise-shell .. .. .	—	7,488	—	—
Wax .. .. . maunds	285	13,077	—	—
Wearing Apparel .. .. .	—	9,580	—	—
		8,12,722	—	23,475
Treasure .. .. .		3,24,710	—	—
		11,37,432	—	23,475

EXTERNAL  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.

Imports :  
Penang  
and Eastward

306. The aggregate of our exportations in the year 1828-29, is sicca rupees 31,68,333; comprehending the value of merchandize, sicca rupees 28,66,083, and of treasure, sicca rupees 3,02,250; which results, compared with those of the previous year, are an increase of sicca rupees 20,30,257; divided into merchandize, sicca rupees 17,28,007, and in treasure, sicca rupees 3,02,250; as exemplified in the annexed Schedule :

Exports.

# 734 THIRD APPENDIX TO THE THIRD REPORT ON THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.  
Exports :  
Penang  
and Eastward.

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. .. pieces	1,40,814	3,32,156	2,17,144	4,22,594			
Silk .. ditto .. .. —	590	2,829	954	6,360			
Indigo .. .. .. maunds	9	888	7	675			
Grain .. .. .. —	79,922	1,28,680	41,314	67,679			
Behar Opium .. .. chests	210	3,49,901	932	12,49,839			
Benares ditto .. .. —	115	1,80,425	650	7,87,451			
Saltpetre .. .. .. maunds	3,839	17,115	1,290	4,639			
Cotton .. .. .. —	—	—	97	1,091			
Gunnies and Gunny Bags .. pieces	1,92,600	16,408	2,59,385	15,209			
Safflower .. .. .. maunds	—	—	232	5,812			
Skins and Hides .. .. —	—	—	—	1,219			
Canvas .. .. .. bolts	985	10,941	665	4,860			
Soap .. .. .. maunds	125	1,244	533	5,111			
Carriages .. .. .. —	—	—	8	6,650			
Hemp, Flax, and Twine .. maunds	48	691	110	888			
Tobacco .. .. .. —	40	128	569	2,711			
Country Sundries .. .. —	—	30,706	—	20,085			
Liquors .. .. .. —	—	12,119	—	10,293			
Broad Cloth and Woollen, British ..	—	1,834	—	1,63,775			
Cotton Piece Goods, British .. ..	—	18,067	—	52,826			
Cochineal .. .. .. maunds	—	—	25	10,863			
Europe Sundries .. .. .. —	—	33,944	—	25,453			
Treasure .. .. ..	11,38,076	—	—	28,66,083			
	—	—	—	3,02,250			
	11,38,076	—	—	31,68,333			
			Deduct .. ..	11,38,076			
			Net Increase .. ..	20,30,257			

Increase Merchandize .. .. S.Rs. 17,28,007

Ditto Treasure .. .. .. 3,02,250

20,30,257

307. The fluctuations in the value of the goods exported hence within the year are shown in the following Statement :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports:  
Penang  
and Eastward.

EXPORTS:				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. .. pieces	76,330	90,438	—	—	—	—	—
Silk .. ditto .. .. —	364	3,531	—	—	—	—	—
Indigo .. .. maunds	—	—	2	213	—	—	—
Grain .. .. —	—	—	38,608	61,001	—	—	—
Behar Opium .. .. —	722	8,99,938	—	—	—	—	—
Benares ditto .. .. —	535	6,07,026	—	—	—	—	—
Saltpetre .. .. —	—	—	2,549	12,476	—	—	—
Cotton .. .. —	97	1,091	—	—	—	—	—
Gunnies and Gunny Bags .. pieces	66,785	—	—	1,199	—	—	—
Safflower .. .. maunds	232	5,812	—	—	—	—	—
Skins and Hides .. .. —	—	1,219	—	—	—	—	—
Canvas .. .. bolts	—	—	320	6,081	—	—	—
Soap .. .. maunds	408	3,867	—	—	—	—	—
Carriages .. .. —	8	6,650	—	—	—	—	—
Hemp, Flax, and Twine .. maunds	62	197	—	—	—	—	—
Tobacco .. .. —	529	2,583	—	—	—	—	—
Country Sundries .. .. —	—	—	—	10,621	—	—	—
Liquor .. .. —	—	—	—	1,826	—	—	—
Broad Cloth and Woollen, British ..	—	1,61,941	—	—	—	—	—
Cotton Piece Goods, British .. ..	—	34,759	—	—	—	—	—
Cochineal .. .. maunds	25	10,863	—	—	—	—	—
Europe Sundries .. .. —	—	—	—	8,491	—	—	—
Treasure .. ..				18,29,915	—	1,01,908	—
				3,02,250	—	—	—
				21,32,165	—	1,01,908	—

308. The comparison between imports and exports is a valuation of sicca rupees 15,19,573 in favour of the latter, which difference, or balance of trade, is met principally by bills of exchange.

JAVA.

Java.

309. The aggregate value of our intercourse with Java and its dependencies, in the year 1828-29, was sicca rupees 3,15,211; which, compared with the previous year 1827-28, is a decrease of sicca rupees 14,52,488.

# 736 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports :  
Java.

310. The value of importations, in the year under consideration, was sicca rupees 1,40,945; containing that of merchandize, sicca rupees 1,25,117; and of treasure, sicca rupees 15,828. The comparative result being a deficiency of sicca rupees 8,51,764; comprised in the value of merchandize, sicca rupees 3,81,254; and of treasure, sicca rupees 4,70,510, as given in the following Schedule:

IMPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Brandy .. .. .	—	8,867	—	—
Broad Cloth and Woollen, Foreign ..	—	16,195	—	—
Copper, Foreign .. .. maunds	6,254	2,53,049	—	—
Camphire .. .. .	113	8,961	—	—
Cubeba .. .. .	217	9,204	—	—
Glass-Ware .. .. .	—	6,100	—	—
Gin .. .. .	—	3,789	—	14,259
Ghee .. .. . maunds	—	—	340	5,324
Long Pepper and Roots ..	2,063	16,842	1,032	6,985
Mace .. .. .	253	23,117	24	2,401
Nutmegs .. .. .	219	18,272	67	6,646
Plated Ware .. .. .	—	6,100	—	—
Pepper .. .. . maunds	3,961	40,634	1,512	13,613
Rattans .. .. .	—	7,017	—	4,473
Silver-Ware .. .. .	—	9,800	—	—
Sundries .. .. .	—	29,752	—	18,732
Sappan Wood .. .. . maunds	2,026	11,103	—	—
Tin .. .. .	1,123	32,537	1,307	33,740
Tortoise-shell .. .. .	—	—	—	12,464
Velvets, Foreign .. .. .	—	—	—	6,480
Wax .. .. . maunds	113	5,032	—	—
		5,06,371	—	1,25,117
Treasure .. .. .		4,86,338	—	15,828
		9,92,709	—	1,40,945
Deduct .. .. .		1,40,945		
Net Decrease .. .. .		8,51,764		
Decrease Merchandize .. .. .				3,81,254
Ditto Treasure .. .. .				4,70,510

S. Rs. 8,51,764

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 737

311. The fluctuations in the value of the goods that have been imported are described in the following Statement:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports :  
Java.

IMPORTS :	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Brandy .. .. .	—	—	—	8,867
Broad Cloth and Woollen, Foreign ..	—	—	—	16,195
Copper, Foreign .. .. maunds	—	—	6,254	2,53,049
Camphire .. .. .	—	—	113	8,961
Cubebs .. .. .	—	—	217	9,204
Glass-Ware .. .. .	—	—	—	6,100
Gin .. .. .	—	10,470	—	—
Ghee .. .. . maunds	340	5,324	—	—
Long Pepper and Roots ..	—	—	1,031	9,857
Mace .. .. .	—	—	229	20,716
Nutmegs .. .. .	—	—	152	11,626
Plated-Ware .. .. .	—	—	—	6,100
Pepper .. .. . maunds	—	—	2,449	27,021
Rattans .. .. .	—	—	—	2,544
Silver-Ware .. .. .	—	—	—	9,800
Sundries .. .. .	—	—	—	11,020
Sappan Wood .. .. . maunds	—	—	2,026	11,103
Tin .. .. .	184	1,203	—	—
Tortoise-shell .. .. .	—	12,464	—	—
Velvets, Foreign .. .. .	—	6,480	—	—
Wax .. .. . maunds	—	—	113	5,032
		35,941	—	4,17,195
		Treasure .. ..		4,70,510

312. The gross amount of our exportations to Java and its dependencies, in the year under notice, was sicca rupees 1,74,299, being a reduction in the value of goods shipped

Exports.



# 738 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

in the previous year of sicca rupees 6,00,724; as exemplified in the following State-  
ment

(1.)  
Bengal.

Exports :  
Java.

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces		1,60,018	3,87,834	17,019	39,031
Silk ditto	.. ..	—		33	173	29	89
Shawls	.. ..	—		24	1,162	8	1,284
Grain	.. ..	maunds		20,480	33,071	2,400	4,025
Behar Opium	.. ..	chests		145	1,80,700	62	1,03,715
Benares Opium	.. ..	—		50	68,475	—	—
Saltpetre	.. ..	maunds			—	485	1,939
Gunnies and Gunny Bags		pieces		3,58,700	40,967	1,04,400	9,425
Safflower	.. ..	maunds		16	420	10	280
Canvas	.. ..	bolts		825	11,607	—	—
Skins and Hides	.. ..	.. ..		—	—	—	1,399
Soap	.. ..	maunds		305	2,943	200	1,850
Country Sundries	.. ..	.. ..		—	8,859	—	3,479
Cotton Piece Goods, British	.. ..	.. ..		—	6,472	—	3,731
Ditto, Foreign	.. ..	.. ..		—	20,971	—	—
Europe Sundries	.. ..	.. ..		—	11,369	—	4,052
					7,75,023	—	1,74,299
Deduct .. ..					1,74,299		
Net Decrease .. ..					6,00,724		

313. The changes in the value of goods shipped to Java and its dependencies, which marked the operations of the year, are noticed in the following Statement :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Java.

	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
EXPORTS :				
Cotton Piece Goods .. pieces	—	—	1,42,999	3,48,803
Silk ditto .. ..	—	—	4	84
Shawls .. ..	—	122	16	—
Grain .. .. maunds	—	—	18,080	29,046
Behar Opium .. chests	—	—	83	76,985
Benares ditto ..	—	—	50	68,475
Saltpetre .. .. maunds	485	1,939	—	—
Gunnies and Gunny Bags pieces	—	—	2,54,300	31,542
Safflower .. .. maunds	—	—	6	140
Canvas .. .. bolts	—	—	825	11,607
Skins and Hides .. ..	—	1,399	—	—
Soap .. .. maunds	—	—	105	1,093
Country Sundries .. ..	—	—	—	5,380
Cotton Piece Goods, British ..	—	—	—	2,741
Ditto, Foreign .. ..	—	—	—	20,971
Europe Sundries .. ..	—	—	—	7,317
		3,460	—	6,04,184

# 740 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Java.

314. The difference in the value of goods imported, from goods exported, within the year under notice, is sicca rupees 33,354.

315. The heavy deficiency above noticed is to be attributed to the Dutch Colonial Regulations, which discourage the employment of British ships or vessels in the trade. The falling off of the trade with Java and its dependencies has been gradual ; and we have commented upon the circumstance in our past Reports. The Statement in the margin\* gives the Imports and Exports of Java for the last five years. In adverting to the discouragement given to the British vessels in Java, we may observe, that a considerable part of the shipments to and from Java are taken to Singapore for re-shipment or trans-shipment there ; the value of which goods goes into the Trade Statement with Penang and Eastward. The principal decrease in the Imports occurs on Copper (Japan), sicca rupees 2,53,049 ; on Spices, sicca rupees 32,342 ; on Pepper, sicca rupees 27,021 ; and on Treasure, sicca rupees 4,70,510. In Exports it is chiefly in Cotton Piece Goods, British and Country, sicca rupees 3,72,515 ; on Opium, sicca rupees 1,45,460 ; in Gunnies, sicca rupees 31,542 ; and in Canvas, sicca rupees 11,607.

## MANILLA.

Manilla.

316. The gross amount of our trade with Manilla, in the past year, was sicca rupees 31,710, which result, compared with that of the previous year, is a decrease of sicca rupees 1,85,875. Our intercourse has been confined to Imports within the year under review.

Imports.

317. The valuation of goods received from Manilla, within the year under notice, was sicca rupees 31,710, which, compared with the previous year, is a deficiency of sicca rupees 22,325. The amount of importations comprehends the value of Merchandize, sicca rupees 6,960, and of Treasure, sicca rupees 24,750, which, compared with the previous year, shows the first at a reduction of sicca rupees 32,526, and the latter at an increase of sicca rupees 10,201, as shewn in the following Statement :

	Imports.	Exports.
* 1821—25 - -	7,26,294	6,28,506
1825—26 - -	9,34,323	7,47,610
1826—27 - -	15,15,304	8,82,194
1827—28 - -	9,92,709	7,75,023
1828—29 - -	1,40,945	1,74,299

(1.)  
Bengal.

Imports:  
Manilla.

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Copper, Foreign	..	..	maunds	518	21,891	—	—
Cowries	..	..	.. —	1,456	5,823	—	—
Sappan Wood	..	..	.. —	2,019	7,794	3,374	5,850
Segars	..	..	.. ..	—	1,590	—	—
Sundries	..	..	.. ..	—	2,388	1,110	—
						—	6,960
Treasure	..	..		14,549		—	24,750
						—	31,710
Deduct	..	..		31,710			
Net Decrease	..			22,325			

Decrease Merchandize .. .. 32,526  
Deduct Increase Treasure .. .. 10,201

S.Rs. 22,325

									Increase.	Decrease.
Copper, maunds	518	..	..	..	..	..	..	..	—	21,891
Cowries, maunds	1,456	..	..	..	..	..	..	..	—	5,823
Sappan Wood, increase in quantity, maunds	1,355	..	..						—	1,944
Segars	..	..	..	..	..	..	..	..	—	1,590
Sundries	..	..	..	..	..	..	..	..	—	1,278
									—	32,526
Treasure	..	..							10,201	—
									S.Rs. 10,201	32,526

318. There were no Shipments to Manilla in the year under consideration; the comparative result therefore is a deficiency equal to the amount of Exportations in the year 1827-28, which is sicca rupees 1,63,549, as shown in the following Statement :

# 742 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Manilla.

EXPORTS :				1827-28.		1828-9.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	..	pieces	45,121	1,07,917	—	—
Silk ditto	..	..	—	174	1,349	—	—
Benares Opium	..	..	chests	18	31,865	—	—
Canvas	..	..	bolts	100	1,800	—	—
Country Sundries	..	..	..	—	483	—	—
Cotton Piece Goods, British	..	..	..	—	9,544	—	—
Copper, Foreign	..	..	maunds	119	5,487	—	—
Europe Sundries	..	..	..	—	5,104	—	—
					1,63,549	—	—

319. The trade with Manilla may be considered as approaching to its suspension.

## PEGUE.

Pegue.

320. The aggregate of the trade with the Burman Territories, in the year under consideration, was sicca rupees 31,60,453 ; which, contrasted with the amount value of the operations of the previous year, is a decline of sicca rupees 3,03,844.

Imports.

321. The amount value of Importations of the trade, in the year 1828-29, was sicca rupees 22,25,291 ; comprehending that of Merchandize sicca rupees 3,97,146 ; and of Treasure, sicca rupees 18,28,145 ; the comparative difference between this and the year 1827-28 being a deficiency of sicca rupees 2,49,854, comprise in a decrease on the value of treasure, sicca rupees 2,96,107 ; and an increase in Merchandize, sicca rupees 46,253, as follows :

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 743

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports:  
Pegue.

IMPORTS:	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Arsenic .. .. .	—	14,391	—	7,364
Copper, British .. .. maunds	—	—	92	3,858
Copper, Foreign .. .. —	453	14,357	292	11,843
Cutch .. .. . —	1,292	3,232	903	3,518
Elephants' Teeth .. .. —	40	3,706	79	7,227
Indigo .. .. . —	12	1,205	3	289
Masts and Spars .. .. pieces	87	5,568	15	600
Metal Bells .. .. .	—	5,746	—	—
Sappan Wood .. .. . maunds	967	3,835	8,196	19,756
Sundries .. .. .	—	29,329	—	13,237
Stick Lac .. .. . maunds	1,182	15,784	214	2,254
Timber and Planks .. .. .	—	2,49,638	—	3,27,200
Wax .. .. . maunds	91	4,102	—	—
		3,50,893	—	3,97,146
Treasure .. .. .		21,24,252	—	18,28,145
		24,75,145	—	22,25,291
Deduct .. .. .		22,25,291		
Net Decrease .. .. .		2,49,854		

Decrease Treasure .. .. . 2,96,107

Deduct Increase Merchandize .. .. . 46,253

S. Rs. 2,49,854

# 744 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

322. The details of the Increase and Decrease in the value of our receipts are noted in the annexed Statement; viz.

(1.)  
Bengal.  
Imports:  
Pegue.

IMPORTS:	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Arsenic .. .. .	—	—	—	7,027
Copper, British .. .. maunds	92	3,858	—	—
Copper, Foreign .. .. —	—	—	161	2,514
Cutch .. .. .	—	286	389	—
Elephants' Teeth .. .. —	39	3,521	—	—
Indigo .. .. .	—	—	9	916
Masts and Spars .. .. pieces	—	—	72	4,968
Metal Bells .. .. .	—	—	—	5,746
Sappan Wood .. .. . maunds	7,229	15,921	—	—
Sundries .. .. .	—	—	—	16,092
Stick Lac .. .. . maunds	—	—	968	13,530
Timber and Planks .. .. .	—	77,562	—	—
Wax .. .. . maunds	—	—	91	4,102
		1,01,148	—	54,895
Treasure .. .. .		—	—	2,96,107

Exports:

323. The aggregate of our Shipments in the year under review amounted in value to sicca rupees 9,35,162, giving a decrease of sicca rupees 53,990 on the comparison with the year 1827-28, as illustrated in the following Schedule:

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.Exports :  
Pegue.

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces		13,335	28,443	18,623	36,076
Silk ditto	..	..	—	3,716	19,297	1,559	8,451
Shawls	..	..	—	1	250	3	165
Indigo	..	..	maunds	8	793	—	—
Sugar	..	..	—	723	5,894	597	4,773
Grain	..	..	—	1,80,201	2,78,687	33,802	53,728
Bengal Rum	..	..	gallons	3,014	3,579	—	—
Behar Opium	..	..	chests	1	1,230	4	4,830
Benares ditto	..	..	—	—	—	3	4,450
Saltpetre	..	..	maunds	27	121	37	149
Gunnies and Gunny Bags		pieces		—	—	20,300	1,487
Skins and Hides	..	..	..	—	406	—	—
Safflower	..	..	maunds	—	—	30	760
Ginger	..	..	—	35	105	—	—
Wearing Apparel	..	..	..	—	11,984	—	10,947
Salt Provisions	..	..	..	—	3,094	—	10,970
Canvas	..	..	bolts	58	1,198	—	—
Soap	..	..	maunds	65	652	89	886
Hemp, Flax, and Twine		—		132	1,496	26	278
Carpets and Blankets	..	pieces		153	350	265	463
Tobacco	..	..	maunds	379	868	436	1,831
Country Sundries	..	..	..	—	23,421	—	19,641
Liquor	..	..	..	—	17,011	—	30,891
Copper, British	..	..	maunds	202	9,831	14	576
Broad Cloth and Woollens, British	..			—	42,943	—	72,078
Cotton Piece Goods, Ditto	..	..		—	4,69,112	—	4,84,611
Silk ditto	..	..	..	—	3,837	—	1,09,882
Cotton ditto, Foreign	..	..	..	—	4,262	—	14,615
Glass-ware	..	..	..	—	1,873	—	8,356
Europe Sundries	..	..	..	—	58,415	—	54,268
					9,89,152	—	9,35,162
Deduct .. ..					9,35,162		
Net Decrease .. ..					53,990		



# 746 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports :  
Pegue.

324. The fluctuations which occasion the decline in the value of our Exportations, in the year under consideration, are shown in the annexed Table ; viz.—

EXPORTS:	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. .. pieces	5,288	7,633	—	—
Silk ditto .. .. —	—	—	2,157	10,846
Shawls .. .. —	2	—	—	85
Indigo .. .. maunds	—	—	8	793
Sugar .. .. —	—	—	126	1,121
Grain .. .. —	—	—	1,46,399	2,24,959
Bengal Rum .. .. gallons	—	—	3,014	3,579
Behar Opium .. .. chests	3	3,600	—	—
Benares ditto .. .. —	3	4,450	—	—
Saltpetre .. .. maunds	10	28	—	—
Gunnies and Gunny Bags .. pieces	20,300	1,487	—	—
Skins and Hides .. .. —	—	—	—	406
Safflower .. .. maunds	30	760	—	—
Ginger .. .. —	—	—	35	105
Wearing Apparel .. .. —	—	—	—	1,037
Salt Provisions .. .. —	—	7,876	—	—
Canvas .. .. bolts	—	—	58	1,198
Soap .. .. maunds	24	234	—	—
Hemp, Flax and Twine .. —	—	—	106	1,218
Carpets and Blankets .. .. pieces	112	113	—	—
Tobacco .. .. maunds	57	963	—	—
Country Sundries .. .. —	—	—	—	3,780
Liquor .. .. —	—	13,880	—	—
Copper, British .. .. maunds	—	—	188	9,255
Broad Cloth and Woollen, British ..	—	29,135	—	—
Cotton Piece Goods, British .. ..	—	15,499	—	—
Silk .. ditto .. ditto .. ..	—	1,06,045	—	—
Cotton . ditto .. Foreign .. ..	—	10,353	—	—
Glass-ware .. .. —	—	6,483	—	—
Europe Sundries .. .. —	—	—	—	4,147
		2,08,539	—	2,62,529

325. Imports, compared with the Exports of the year, present a difference of sicca rupees 12,90,129, the former in excess of the latter; the value of Bullion or Treasure, imported from the Burman provinces on account of the Government, amount to sicca rupees 14,87,570, which, having as usual entered into the Trade Reports, serves to create the balance against Exports, which would otherwise preponderate; this private commercial difference is adjusted by Government and private bills on Bengal and Madras. Without reckoning on Government Commissariat supplies, this trade with the Burman territories may be valued at sicca rupees 8,00,000 Exports per annum, and Imports, sicca rupees 5,00,000; together, sicca rupees 13,00,000. It is principally in the hands of Armenian, Greek, Arab and Mogul speculators.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Exports:  
Pegue.

ARABIAN AND PERSIAN GULFS.

326. The total amount of our Trade with Arabian and Persian, in the year 1828-29 was sicca rupees 25,77,208; which, compared with the aggregate value of the previous year, is a decrease of sicca rupees 18,04,274.

(Orig.)

327. The amount value of goods imported into Bengal, from the place under present notice, was sicca rupees 7,78,281; this, contrasted with the result of the previous year, is a deficiency of sicca rupees 13,48,767. The amount of Merchandize imported is sicca rupees 4,93,981, and of Treasure, sicca rupees 2,84,300; the comparative difference being a decline of sicca rupees 7,72,826 in the value of the former, and sicca rupees 5,75,941 of the latter, as presented in the following Statement:

Import-.

IMPORTS:				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Almonds .. ..	maunds	4,244	28,302	3,640	26,694		
Aloes .. ..	—	181	2,441	430	6,469		
Assafoetida .. ..	—	139	1,111	311	2,693		
Brimstone .. ..	—	13,006	31,210	5,251	9,636		
Copper, Foreign .. ..	—	12,309	475,643	591	29,251		
Coir .. ..	—	7,876	24,443	—	—		
Corals .. ..	.. ..	—	91,566	—	8,228		
Corals, False .. ..	.. ..	—	42,539	—	17,248		
Coffee .. ..	maunds	4,596	98,460	2,829	68,382		
Cocoa-nut Oil .. ..	—	1,722	14,874	46	321		
Ditto Kernel .. ..	—	1,652	8,112	2,518	6,955		
Cowries .. ..	—	12,946	19,516	18,735	25,942		

(continued.)

# 748 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Imports:  
Arabian and  
Persian Gulphs.

## IMPORTS—continued.

	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Cotton Twist .. .. maunds	196	9,103	—	—
Cotton .. .. —	825	9,067	371	3,814
Dates .. .. —	12,162	35,741	20,326	47,275
Gall Nuts .. .. —	1,813	35,877	625	10,405
Gums .. .. —	7,357	62,146	5,006	47,951
Lamita .. .. —	—	44,416	—	24,499
Piece Goods, Cotton, British .. ..	—	34,785	—	5,457
Ditto ditto Foreign .. ..	—	2,259	—	3,421
Ditto Silk ditto .. ..	—	3,513	—	537
Pepper .. .. maunds	2,545	30,530	1,039	12,457
Pearls, Diamonds, and Emeralds ..	—	26,438	—	26,400
Raisins .. .. —	—	5,788	—	6,462
Sandal Wood .. .. maunds	1,409	14,738	12	171
Sherauz Wine .. .. —	—	1,561	—	9,178
Sundries .. .. —	—	1,11,831	—	76,525
Senna Leaf .. .. maunds	114	797	1,090	6,479
Salt .. .. —	—	—	1,719	5,156
Vermilion .. .. —	—	—	—	5,975
		12,66,807	—	4,93,981
Treasure .. ..		8,60,241	—	2,84,300
		21,27,048	—	7,78,281
Deduct .. ..		7,78,281		
Net Decrease .. ..		13,48,767		
Decrease Merchandize .. ..				7,72,826
Ditto Treasure .. ..				5,75,941
				<u>S. Rs. 13,48,767</u>

328. The Increase and Decrease on the several Articles forming the Import Trade with Arabia and Persia, in the year under notice, are detailed in the annexed Table ; viz.—

IMPORTS :					INCREASE.		DECREASE.	
					Quantity.	Value.	Quantity.	Value.
Almonds .. ..	maunds	—	—	—	—	—	640	1,608
Aloes .. ..	—	249	4,028	—	—	—	—	—
Assafoetida .. ..	—	172	1,582	—	—	—	—	—
Brimstone .. ..	—	—	—	7,755	21,574	—	—	—
Copper, Foreign .. ..	—	—	—	11,718	4,46,392	—	—	—
Coir .. ..	—	—	—	7,876	24,443	—	—	—
Corals .. ..	—	—	—	—	83,338	—	—	—
Corals, False .. ..	—	—	—	—	25,291	—	—	—
Coffee .. ..	maunds	—	—	1,767	30,078	—	—	—
Cocoa-nut Oil .. ..	—	—	—	1,676	14,553	—	—	—
Cocoa-nut Kernel .. ..	—	866	—	—	1,157	—	—	—
Cowries .. ..	—	5,789	6,426	—	—	—	—	—
Cotton Twist .. ..	—	—	—	196	9,103	—	—	—
Cotton .. ..	—	—	—	454	5,253	—	—	—
Dates .. ..	—	8,164	11,534	—	—	—	—	—
Gall Nuts .. ..	—	—	—	1,188	25,472	—	—	—
Gums .. ..	—	—	—	2,351	14,195	—	—	—
Lamita .. ..	—	—	—	—	19,917	—	—	—
Piece Goods, Cotton, British .. ..	—	—	—	—	29,328	—	—	—
Ditto, ditto, Foreign .. ..	—	—	1,162	—	—	—	—	—
Piece Goods, Silk, Foreign .. ..	—	—	—	—	2,976	—	—	—
Pepper .. ..	maunds	—	—	1,506	18,073	—	—	—
Pearls, Diamonds, and Emeralds .. ..	—	—	—	—	38	—	—	—
Raisins .. ..	—	—	674	—	—	—	—	—
Sandal Wood .. ..	maunds	—	—	1,397	14,567	—	—	—
Sherauz Wine .. ..	—	—	7,617	—	—	—	—	—
Sundries .. ..	—	—	—	—	35,306	—	—	—
Senna Leaf .. ..	maunds	976	5,682	—	—	—	—	—
Salt .. ..	—	1,719	5,156	—	—	—	—	—
Vermilion .. ..	—	—	5,975	—	—	—	—	—
Treasure .. ..					49,836	—	8,22,662	—
					—	—	5,75,941	—

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Arabian and  
Persian Gulfs :  
Imports.

329. The total amount of our Shipments to Arabia and Persia, in the year under report, was sicca rupees 17,98,927 ; exhibiting a decline of sicca rupees 4,55,507 on the result of the previous or year 1827-28, as per following Statement :

Exports.

# 750 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Arabian and  
Persian Gulfs :  
Exports.

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	..	pieces	2,05,023	5,52,650	1,60,095	4,23,107
Silk ditto	..	..	—	44,777	1,87,559	33,499	1,30,217
Embroidered ditto	..	..	—	—	—	613	5,288
Shawls	..	..	—	96	8,268	—	—
Indigo	..	..	maunds	4,642	4,64,197	3,062	3,06,285
Sugar	..	..	—	24,134	1,93,351	57,477	4,61,207
Silk	..	..	—	43	2,800	1	297
Grain	..	..	—	2,58,946	3,97,167	1,56,600	2,47,076
Shell Lac	..	..	—	—	—	96	1,196
Stick Lac	..	..	—	1,754	23,794	1,414	10,994
Turmeric	..	..	—	294	759	—	—
Ginger	..	..	—	603	1,809	891	2,660
Sal ammoniac	..	..	—	236	3,762	631	10,177
Canvas	..	..	bolts	—	—	12	120
Soap	..	..	maunds	—	—	35	363
Hemp, Flax, and Twine	..	..	—	39	312	49	477
Carpets and Blankets	..	..	pieces	27	263	202	653
Tobacco	..	..	maunds	101	301	186	980
Country Sundries	..	..	..	—	13,462	—	9,006
Broad Cloth and Woollen, British	..	..	..	—	17,586	—	6,806
Cotton Piece Goods, British	..	..	..	—	3,29,890	—	1,35,324
Iron, British	..	..	maunds	91	464	4,440	16,966
Medicine	..	..	..	—	9,283	—	126
Europe Sundries	..	..	..	—	45,744	—	29,602
Treasure				..	..	22,53,421	17,98,927
						1,013	—
						22,54,434	17,98,927
Deduct				..	..	17,98,927	—
Net Decrease				..	..	4,55,507	—

Decrease Merchandize .. .. . 4,54,494  
Ditto Treasure .. .. . 1,013

S.Ra. 4,55,507

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 751

330. The fluctuations of the trade are exhibited in the following Schedule :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Arabian and  
Persian Gulfs :  
Exports.

EXPORTS:				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	..	pieces	—	—	44,928	1,29,543
Silk ditto	..	..	—	—	—	11,278	57,342
Embroidered ditto	..	..	—	613	5,288	—	—
Shawls	..	..	—	—	—	96	8,268
Indigo	..	..	maunds	—	—	1,580	1,57,912
Sugar	..	..	—	33,343	2,67,856	—	—
Silk	..	..	—	—	—	42	2,503
Grain	..	..	—	—	—	2,346	1,50,091
Shell Lac	..	..	—	96	1,196	—	—
Stick Lac	..	..	—	—	—	340	12,800
Turmeric	..	..	—	—	—	294	759
Ginger	..	..	—	288	851	—	—
Sal ammoniac	..	..	—	395	6,415	—	—
Canvas	..	..	bolts	12	120	—	—
Soap	..	..	maunds	35	365	—	—
Hemp, Flax, and Twine	..	..	—	10	165	—	—
Carpets and Blankets	..	..	pieces	175	390	—	—
Tobacco	..	..	maunds	85	679	—	—
Country Sundries	..	..	..	—	—	—	4,456
Broad Cloth and Woollen, British	..	..	..	—	—	—	10,780
Cotton Piece Goods, ditto	..	..	..	—	—	—	1,94,566
Iron, British	..	..	maunds	4,349	16,502	—	—
Medicine	..	..	..	—	—	—	9,157
Europe Sundries	..	..	..	—	—	—	16,142
				2,99,825		—	7,54,319
Treasure	..	..	..	—	—	—	1,013

331. The comparative difference between the value of Importations and Exportations is sicca rupees 10,20,646, which balance is principally provided upon Bombay credits, and is also partly met by the value of the gold and silver coins, pearls and precious stones, which, from being free and of smaller compass, are passed into town without entry at the Custom-house.

332. This trade has of late years considerably declined: the articles amongst Imports upon which the greatest fluctuations were experienced, in the year under notice, are Copper, which is opposed by the ample receipts from Europe; and Coffee, the demand for which, in this market, for re-exportation, is not now so active as formerly.

# 752 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

Arabian and  
Persian Gulfs :  
Exports.

Amongst Exports the principal changes are in the value of Cotton Piece Goods, owing to the markets of Arabia and Persia being more immediately supplied from Bombay; Indigo, from high prices having reduced the consumption; and of Grain, from the Coast of Malabar providing partially for the demand.

333. Some articles, the produce of Malabar, from errors in the entry at the Custom-house, become mixed up with the Imports from Arabia and Persia.

## CHINA.

China : 334. The aggregate value of our commerce with China, in the year 1828-29, was sicca rupees 1,28,13,704, which, compared with the amount of the preceding year, gives a decrease of sicca rupees 1,05,47,108.

Imports. 335. The total amount of our receipts from China is represented at sicca rupees 30,43,828, comprehending the value of Merchandize at sicca rupees 16,63,521, and of Treasure, sicca rupees 13,80,307. The comparative difference with the year 1827-28 being a deficiency in the year under consideration of sicca rupees 55,44,867, contained in the value of Merchandize, sicca rupees 50,37,720, as illustrated in the following Exhibit :

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Alum .. .. maunds	17,847	68,579	13,749	50,092			
Arsenic .. ..	—	743	—	8,529			
Beads .. ..	—	36,993	—	54,274			
Brass Leaf .. ..	—	—	—	15,431			
Copper, Foreign .. maunds	19,700	7,09,404	9,414	3,51,142			
China-ware .. ..	—	19,986	—	16,883			
China-paper .. maunds	—	29,178	—	30,958			
Camphire .. ..	1,221	58,746	1,314	59,349			
Cassia .. ..	1,394	35,917	2,543	57,597			
Cutch .. ..	5,551	13,271	3,792	8,012			
Cloves .. ..	139	9,720	—	—			
Cotton Mule Twist, British	—	—	395	34,583			
Fans .. ..	—	6,347	—	2,022			
Fire-works .. ..	—	6,355	—	7,838			
Glass-ware .. ..	—	7,685	—	—			
Gin .. ..	—	11,732	—	2,780			
Ivory-ware .. ..	—	9,187	—	—			
Iron Pans .. ..	—	12,873	—	—			
Jewellery .. ..	—	5,397	—	—			
Kettisols .. ..	—	11,183	—	14,271			
Lead, Foreign .. maunds	—	—	838	5,552			

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 753

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

China :  
Imports.

IMPORTS—continued.	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Lead, Red .. .. .	—	1,980	—	—
Lead, White .. .. .	—	335	—	—
Lacquered-ware .. .. .	—	6,453	—	3,087
Long Pepper and Roots maunds	28	199	594	7,484
Marble Slabs .. .. .	—	7,040	—	5,609
Mace .. .. . maunds	16	1,470	80	7,991
Nankeens .. .. . pieces	29,100	37,368	28,038	30,444
Nutmegs .. .. . maunds	—	—	233	15,382
Piece Goods, Cotton, Foreign ..	—	6,255	—	1,134
Ditto .. Silk Ditto ..	—	1,36,847	—	61,210
Pepper .. .. . maunds	11,367	1,03,877	9,571	87,916
Pearls, False .. .. .	—	8,179	—	7,808
Rattans .. .. .	—	25,599	—	16,033
Sugar-Candy .. .. .	—	35,792	—	18,270
Sappan Wood .. .. . maunds	5,580	19,982	5,506	23,140
Sundries .. .. .	—	1,10,640	—	80,911
Spelter .. .. . maunds	269	1,880	1,655	10,623
Seeds .. .. . —	—	—	424	6,336
Trunks and Boxes .. .. .	—	13,459	—	12,062
Tin .. .. . maunds	6,032	1,68,897	11,904	3,00,775
Tea .. .. . chests	6,799	2,21,020	1,729½	1,21,984
Vermilion .. .. .	—	1,76,341	—	1,19,523
Wax .. .. . maunds	760	33,759	149	6,486
		21,70,668	—	16,63,521
Treasure .. .. .		64,18,027	—	13,80,307
		85,88,695	—	30,43,828
Deduct .. .. .		30,43,828		
Net Decrease .. .. .		55,44,867		
Decrease Merchandize .. .. .				5,07,147
Ditto Treasure .. .. .				50,37,720
				S. Rs. 55,44,867

336. The Table that follows show the Goods on which the Increase and Decrease have occurred :



# 754 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

China :  
Imports.

					INCREASE.		DECREASE.	
IMPORTS :					Quantity.	Value.	Quantity.	Value.
Alum	..	..	..	maunds	—	—	4,098	18,487
Arsenic	..	..	..	.. ..	—	7,786	—	—
Beads	..	..	..	.. ..	—	17,281	—	—
Brass Leaf	..	..	..	.. ..	—	15,431	—	—
Copper, Foreign	..	..	..	maunds	—	—	10,286	3,58,262
China-Ware	..	..	..	.. ..	—	—	—	3,103
China Paper	..	..	..	.. ..	—	1,780	—	—
Camphire	..	..	..	maunds	93	603	—	—
Cassia	..	..	..	—	1,149	21,680	—	—
Cutch	..	..	..	—	—	—	1,759	5,259
Cloves	..	..	..	—	—	—	139	9,720
Cotton Mule Twist, British	..	..	..	—	395	34,583	—	—
Fans	..	..	..	.. ..	—	—	—	4,325
Fire-works	..	..	..	.. ..	—	1,483	—	—
Glass-ware	..	..	..	.. ..	—	—	—	7,685
Gin	..	..	..	.. ..	—	—	—	8,952
Ivory-ware	..	..	..	.. ..	—	—	—	9,187
Iron Pans	..	..	..	.. ..	—	—	—	12,873
Jewellery	..	..	..	.. ..	—	—	—	5,397
Kittisols	..	..	..	.. ..	—	3,088	—	—
Lead, Foreign	..	..	..	maunds	838	5,552	—	—
Lead, Red	..	..	..	.. ..	—	—	—	1,980
Lead, White	..	..	..	.. ..	—	—	—	335
Lacquered-ware	..	..	..	.. ..	—	—	—	3,366
Long Pepper and Roots	..	..	..	maunds	566	7,285	—	—
Marble Slabs	..	..	..	.. ..	—	—	—	1,431
Mace	..	..	..	maunds	64	6,521	—	—
Nankeens	..	..	..	pieces	—	—	1,062	6,924
Nutmegs	..	..	..	maunds	233	15,382	—	—
Piece Goods, Cotton, Foreign	..	..	..	.. ..	—	—	—	5,121
Piece Goods, Silk, Ditto	..	..	..	.. ..	—	—	—	75,637
Pepper	..	..	..	maunds	—	—	1,796	15,961
Pearls, False	..	..	..	.. ..	—	—	—	371
Rattans	..	..	..	.. ..	—	—	—	9,566
Sugar-Candy	..	..	..	.. ..	—	—	—	17,522
Sappan Woods	..	..	..	maunds	—	3,158	74	—
Sundries	..	..	..	.. ..	—	—	—	29,729
Spelter	..	..	..	maunds	1,386	8,743	—	—
Seeds	..	..	..	—	424	6,336	—	—
Trunks and Boxes	..	..	..	.. ..	—	—	—	1,397
Tin	..	..	..	maunds	5,872	1,31,878	—	—
Tea	..	..	..	chests	—	—	5,069½	99,036
Vermilion	..	..	..	.. ..	—	—	—	56,818
Wax	..	..	..	maunds	—	—	611	27,273
Treasure ..					—	2,88,570	—	7,95,717
								50,37,720

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 755

337. The gross amount of our Shipments to China, in the year 1828-29, has been sicca rupees 97,69,876, presenting a comparative decrease of sicca rupees 50,02,241, comprised in the value of Merchandize, sicca rupees 49,20,466, and of Treasure, from the absence of Exportation in the year 1828-29, sicca rupees 81,775, as shown in the following Statement:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

China :  
Exports.

EXPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. .. pieces	56,912	1,42,593	75,424	1,89,812
Silk .. ditto .. .. —	315	2,809	274	1,947
Shawls .. .. .. —	17	1,777	—	—
Indigo .. .. .. maunds	97	9,726	—	—
Sugar .. .. .. —	21	166	35	389
Grain .. .. .. —	23,369	43,579	2,850	4,075
Bengal Rum .. .. .. gallons	1,058	1,058	—	—
Behar Opium .. .. .. chests	5,449	85,06,265	3,819	53,40,962
Benares ditto .. .. .. —	1,817	27,20,510	1,084	15,27,289
Malwa ditto .. .. .. —	25	35,700	—	—
Saltpetre .. .. .. maunds	17,496	77,160	3,870	15,803
Cotton .. .. .. —	197,590	29,81,340	185,029	23,92,276
Safflower .. .. .. —	14	348	—	—
Gunnies and Gunny Bags .. pieces	84,075	5,428	142,950	10,764
Soap .. .. .. maunds	91	880	64	625
Putchuck .. .. .. —	1,385	17,862	1,886	22,441
Canvas .. .. .. bolts	268	2,880	—	—
Country Sundries .. .. .. —	—	19,737	—	12,189
Copper, British .. .. .. maunds	122	5,040	—	—
Broad Cloth and Woollen, British ..	—	—	—	1,29,692
Sandal Wood .. .. .. maunds	1,906	20,469	900	10,004
Cotton Piece Goods, British .. ..	—	28,932	—	37,567
Cochineal .. .. .. maunds	—	—	11	5,744
Corals .. .. .. —	—	10,918	—	—
Cotton, Foreign .. .. .. maunds	—	—	1,004	11,748
Iron, British .. .. .. —	1,514	6,340	682	2,170
Cotton Twist, British .. .. .. —	—	—	85	8,550
Flannel and Blankets .. .. .. —	—	—	—	27,000
Europe Sundries .. .. .. —	—	48,465	—	18,829
Treasure .. ..		1,46,90,342	—	97,69,876
		81,775	—	—
Deduct .. ..		1,47,72,117	—	97,69,876
Net Decrease .. ..		50,02,241		
Decrease Merchandize .. .. ..				49,20,466
Ditto Treasure .. .. ..				81,775
S.Rs.				50,02,241

# 756 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

338. The fluctuations presented in the foregoing Statement are more particularly given in the annexed Schedule :

(1.)  
Bengal.

China :  
Exports.

EXPORTS:				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods ..	pieces	18,512	46,859	—	—	—	—
Silk .. ditto .. ..	—	—	—	41	862	—	—
Shawls .. ..	—	—	—	17	1,777	—	—
Indigo .. ..	maunds	—	—	97	9,726	—	—
Sugar .. ..	—	14	223	—	—	—	—
Grain .. ..	—	—	—	20,519	39,504	—	—
Bengal Rum .. ..	gallons	—	—	1,058	1,058	—	—
Behar Opium .. ..	.. chests	—	—	1,680	31,65,303	—	—
Benares ditto .. ..	—	—	—	733	11,93,221	—	—
Malwa ditto .. ..	—	—	—	25	35,700	—	—
Saltpetre .. ..	maunds	—	—	13,626	61,357	—	—
Cotton .. ..	—	—	—	12,561	5,89,064	—	—
Safflower .. ..	—	—	—	14	348	—	—
Gunnies and Gunny Bags ..	pieces	58,875	5,336	—	—	—	—
Soap .. ..	—	—	—	27	255	—	—
Putchuck .. ..	—	501	4,579	—	—	—	—
Canvas .. ..	.. bolts	—	—	268	2,880	—	—
Country Sundries .. ..	—	—	—	—	7,548	—	—
Copper, British .. ..	maunds	—	—	122	5,040	—	—
Broad Cloth and Woollen, British ..	—	—	1,29,692	—	—	—	—
Sandal Wood .. ..	maunds	—	—	1,006	10,465	—	—
Cotton Piece Goods, British .. ..	—	—	8,635	—	—	—	—
Cochinical .. ..	maunds	11	5,744	—	—	—	—
Corals .. ..	—	—	—	—	10,918	—	—
Cotton, Foreign .. ..	maunds	1,004	11,748	—	—	—	—
Iron, British .. ..	—	—	—	832	4,170	—	—
Cotton Twist, British .. ..	—	85	8,550	—	—	—	—
Flannel and Blankets .. ..	—	—	27,000	—	—	—	—
Europe Sundries .. ..	—	—	—	—	29,636	—	—
				2,48,366	—	51,68,832	—
Treasure .. ..				—	—	—	-81,775

339. The importation of the year, compared with Exportations. present a deficiency in the value of the former of sicca rupees 67,26,048 ; which difference is met by bills of the

supracargoes on the Government, and also of those of private establishments in China on their correspondents here. The value of bills of the supracargoes in China on this Government, for the year under consideration, amount to sicca rupees 42,41,809.

340. The serious deficiencies in the value of the importations from China attach to articles which clearly indicate the depressed state, if not the decline, of the China trade. The deficiency in the importation of Treasure is sicca rupees 50,37,720. We last year noticed the progressive fall in the consumption of tea; the decreased value of the present year is sicca rupees 99,036. Much of the importation included in the Report of this trade does not belong to it; moreover, the produce of the Straits and Eastern Islands enters largely into the importations from China, from careless entries at the Custom-house.

341. The Export Trade of China may be said to be vested in the two products of Cotton and Opium, in the shipments of both of which there was a considerable decrease; the former was less than the export of the year 1827-28 by maunds 12,561, value sicca rupees 5,89,064; and the latter by 2,438 chests, sicca rupees 43,94,221.

342. Of the Cotton exported to China, in the season 1828-29, maunds 1,67,523, value sicca rupees 22,45,429, were of the Honourable Company's investments; which, compared with the previous year, is a deficiency of maunds 26,548, value sicca rupees 7,06,583. The shipment of Cotton from hence on private account now scarcely claims attention.

343. Amongst the imports from China will be found 395 maunds of Cotton Twist, value sicca rupees 31,583, which was part of a direct consignment to China from England; but which, not answering, was sent here for sale. In the Exports, again, appears the shipment of a large quantity of Woollens to China, value sicca rupees 1,29,692, which must have been declared for exportation to the Straits, and afterwards carried into China: it is well known.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

China:  
Exports.

#### NEW SOUTH WALES.

344. The total amount of our trade with this colony, in the year 1828-29, was sicca rupees 1,01,673, which is a decrease of sicca rupees 3,30,667, compared with the year immediately preceding. New South Wales.

345. The aggregate of Importations was sicca rupees 25,088; showing a comparative difference of sicca rupees 2,69,462 less than the value of the previous year, comprehended in a decrease in the value of Merchandize, sicca rupees 2,00,379, and of Treasure, from there having been no receipt of the article in the year under consideration, of sicca rupees 69,083, as per following Statement:— Imports.

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.New South Wales :  
Imports.

IMPORTS.		1827-28.		1828-29.	
		Quantity.	Value.	Quantity.	Value.
Broad Cloth and Woollen, Foreign ..		—	30,438	—	—
Copper, Foreign .. .. maunds		2,299	83,643	33	1,312
Coals .. .. .		—	781	—	2,183
Cotton Yarn, Foreign .. maunds		25	2,504	—	—
Cubebs .. .. .		109	4,978	—	—
Gin .. .. .		—	6,603	—	150
Iron, Foreign .. .. maunds		—	—	930	5,456
Lead, British .. .. .		—	—	1,910	12,608
Long Pepper and Roots .. —		1,189	7,529	—	—
Millinery .. .. .		—	8,960	—	—
Piece Goods, Cotton, Foreign .. ..		—	8,533	—	—
Rattans .. .. .		—	7,474	—	—
Sundries .. .. .		—	37,638	—	3,379
Spelter .. .. . maunds		1,226	9,808	—	—
Tin .. .. .		107	2,828	—	—
Velvet, Foreign .. .. .		—	2,843	—	—
Wax .. .. . maunds		101	4,502	—	—
Wearing Apparel .. .. .		—	6,405	—	—
			2,25,467	—	25,088
Treasure .. .. .			69,083	—	—
			2,94,550	—	25,088
Deduct .. .. .			25,088		
Net Decrease .. S. Rs.			2,69,462		

Decrease Merchandize .. .. 2,00,379

Ditto Treasure .. .. 69,083

S. Rs. 2,69,462

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 759

346. The changes which mark the Imports of the year are exhibited in the annexed ;  
viz.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

New South Wales :  
Imports.

IMPORTS :	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Broad Cloth and Woollen, Foreign ..	—	—	—	30,438
Copper, Foreign .. .. maunds	—	—	2,266	82,331
Coals .. .. .	—	1,402	—	—
Cotton Yarn, Foreign .. .. maunds	—	—	25	2,504
Cubebs .. .. .	—	—	109	4,978
Gin .. .. .	—	—	—	6,453
Iron, Foreign .. .. maunds	930	5,456	—	—
Lead, British .. .. .	1,910	12,608	—	—
Long Pepper and Roots .. .. maunds	—	—	1,189	7,529
Millinery .. .. .	—	—	—	8,960
Piece Goods, Cotton, Foreign .. ..	—	—	—	8,533
Rattans .. .. .	—	—	—	7,474
Sundries .. .. .	—	—	—	34,259
Spelter .. .. . maunds	—	—	1,226	9,808
Tin .. .. .	—	—	107	2,828
Velvets, Foreign .. .. .	—	—	—	2,843
Wax .. .. . maunds	—	—	101	4,502
Wearing Apparel .. .. .	—	—	—	6,405
		19,466	—	2,19,845
Treasure .. .. .	—	—	—	69,083

347. The amount of our Shipments to New South Wales is represented at sicca rupees 76,585, which, compared with the previous year, is a deficiency of sicca rupees 61,205 ; contained in the value of Merchandize, sicca rupees 58,955, and of Treasure, from the absence of shipments in the year under consideration, of sicca rupees 2,250 ; as shewn in the following Table :

Exports.

# 760 THIRD APPENDIX to THE THIRD REPORT of the

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

New South Wales:  
Exports.

				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
<b>EXPORTS:</b>							
Cotton Piece Goods	..	pieces		11,816	27,124	3,118	5,498
Silk ditto	.. ..	—		1,067	7,697	1,030	7,979
Shawls	.. ..	—		51	610	1	400
Sugar	.. ..	maunds		1,028	8,228	1,468	11,006
Grain	.. ..	—		1,608	3,290	14,300	22,275
Cotton	.. ..	—		—	—	29	584
Gunnies and Gunny Bags		pieces		10,000	1,196	1,742	185
Salt Provision	.. ..	.. ..		—	10,884	—	250
Ginger	.. ..	maunds		50	150	16	60
Hemp, Flax and Twine	..	—		83	1,219	29	114
Canvas	.. ..	bolts		1,068	11,283	150	1,500
Carpets and Blankets	..	pieces		170	590	1,470	1,670
Tobacco	.. ..	maunds		—	—	22	110
Country Sundries	.. ..	.. ..		—	21,545	—	5,228
Madeira Wine	.. ..	.. pipes		23	6,981	5	1,020
Liquor	.. ..	.. ..		—	19,513	—	4,791
Tea	.. ..	.. chests		117	3,470	95	6,888
Europe Sundries	.. ..	.. ..		—	11,760	—	7,107
					1,35,540	—	76,585
Treasure	.. ..	.. ..			2,250	—	—
					1,37,799	—	76,585
Deduct	.. ..	.. ..			76,585		
					61,205		
Decrease Merchandize	.. ..	.. ..					58,955
Ditto Treasure	.. ..	.. ..					2,250

S.Rs. 61,205

348. The fluctuations in the value of the Goods shipped from hence are particularly noted in the following; viz.—

EXPORTS:				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces	—	—	—	8,698	21,626
Silk .. ditto	..	—	—	—	282	37	—
Shawls	..	—	—	—	—	50	210
Sugar	..	maunds	440	2,778	—	—	—
Grain	..	—	12,692	18,985	—	—	—
Cotton	..	—	29	584	—	—	—
Gunnies and Gunny Bags		pieces	—	—	—	8,258	1,011
Salt Provision	..	—	—	—	—	—	10,634
Ginger	..	maunds	—	—	—	34	90
Hemp, Flax and Twine	..	—	—	—	—	54	1,105
Canvas	..	bolts	—	—	—	918	9,783
Carpets and blankets	..	pieces	1,300	1,080	—	—	—
Tobacco	..	maunds	22	110	—	—	—
Country Sundries	..	—	—	—	—	—	16,317
Madeira Wine	..	pipes	—	—	—	18	5,961
Liquor	..	—	—	—	—	—	14,722
Tea	..	chests	—	3,338	22	—	—
Europe Sundries	..	—	—	—	—	—	4,653
				27,157		—	86,112
Treasure	..	—	—	—	—	—	2,250

349. The comparative difference between Imports and Exports, for the year 1828-29, is a deficiency in the value of the former of sicca rupees 51,497. An extensive and lucrative commerce is maintained between the colony and this, in the bills of the Colonial Government on London, the sale of which is applied to the equalization of the balance of the trade, and as a remittance of the surplus property of individuals at the colony.

350. Amongst the Imports, the article of Coals is the only production of New South Wales the Copper was from South America; Cubebs, Rattans, Tin and Wax, from the Straits; and the rest of the Statement from Europe.



**EXTERNAL  
AND INTERNAL  
COMMERCE.****(1.)  
Bengal.****Africa :  
Imports.****AFRICA.**

351. The range of our Commerce with this quarter of the globe comprehends our trade with the Mauritius, and our intercourse with the Cape of Good Hope; and it appears to admit of no direct extension. The aggregate of our relations with this division of the world, in the year under consideration, amounted to sicca rupees 18,68,258, which, compared with the year preceding, is a deficiency of sicca rupees 70,254. Of the amount here represented, Imports involve sicca rupees 1,38,971, with a comparative decrease of sicca rupees 2,60,625; and exports, sicca rupees 17,29,287, exhibiting an increase of sicca rupees 1,90,371, as given in the following Statement:

	1827-28.			1828-29.		
	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.
<b>IMPORTS :</b>						
Mauritius .. ..	3,41,985	33,750	3,76,735	1,15,298	6,500	1,21,798
Cape of Good Hope	23,861	—	23,861	12,561	4,612	17,173
<b>TOTAL .. ..</b>	<b>3,65,846</b>	<b>33,750</b>	<b>3,99,596</b>	<b>1,27,859</b>	<b>11,112</b>	<b>138,971</b>
<b>EXPORTS :</b>						
Mauritius .. ..	11,49,300	2,16,750	13,66,050	13,84,550	2,19,500	16,04,050
Cape of Good Hope	1,72,866	—	1,72,866	1,25,237	—	1,25,237
<b>TOTAL .. ..</b>	<b>13,22,166</b>	<b>2,16,750</b>	<b>15,38,916</b>	<b>15,09,787</b>	<b>2,19,500</b>	<b>17,29,287</b>

**MAURITIUS.****Mauritius.**

352. The amount of our Trade with the Mauritius (which includes Bourbon), in the year 1828-29, was sicca rupees 17,25,848, which, compared with the year 1827-28, is a decline of sicca rupees 15,937.

**Imports.**

353. The total value of the goods imported from the Mauritius and Bourbon, in the year under review, was sicca rupees 1,21,798, which embraces the value of Merchandize sicca rupees 1,15,298; and of Treasure, sicca rupees 6,500. The discrepancy, compared with the year 1827-28, is a decrease in Merchandize sicca rupees 2,26,687, in Treasure sicca rupees 27,250; together, a decline of sicca rupees 2,53,937, as per following Statement:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 763

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Mauritius :  
Imports.

IMPORTS :					1827-28.		1828-29.	
					Quantity.	Value.	Quantity.	Value.
Anchors .. .. .	pieces	23	4,782	—	—	—	—	—
Brandy .. .. .		—	60,040	—	—	7,342	—	—
Beetle-nut .. ..	maunds	—	—	4,870	11,813	—	—	—
Copper, Foreign ..	—	121	4,620	—	—	—	—	—
Claret, Foreign ..		—	19,734	—	591	—	—	—
Cloves .. .. .	maunds	4,589	2,07,850	2	100	—	—	—
Gin .. .. .		—	8,289	—	—	—	—	—
Lamita .. .. .		—	5,120	—	—	—	—	—
Medicine .. .. .		—	5,479	—	—	—	—	—
Piece Goods, Cotton, British ..		—	—	—	19,674	—	—	—
Pepper .. .. .	maunds	—	—	2,426	21,188	—	—	—
Rattans .. .. .		—	—	—	5,889	—	—	—
Sundries .. .. .		—	26,071	—	15,996	—	—	—
Tin .. .. .		—	—	1,054	32,705	—	—	—
					3,41,985	—	1,15,298	—
Treasure .. ..		33,750	—	6,500	—	—	—	—
					3,75,735	—	1,21,798	—
Deduct .. ..		1,21,798	—	—	—	—	—	—
Net Decrease ..		2,53,937	—	—	—	—	—	—
Decrease Merchandize .. .. .		2,26,687	—	—	—	—	—	—
Ditto .. Treasure .. .. .		27,250	—	—	—	—	—	—

S. R. 2,53,937

# 764 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)

Bengal.

Mauritius:  
Imports.

354. The articles on which, in Imports, the Decrease or Increase has occurred, are shown in the annexed Table:

IMPORTS :				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Anchors .. .. .	pieces	—	—	23	4,782		
Brandy .. .. .		—	—	—	52,698		
Beetle-nuts .. ..	maunds	4,870	11,813	—	—		
Copper, Foreign ..		—	—	121	4,620		
Claret, Ditto .. ..		—	—	—	19,143		
Cloves .. .. .	maunds	—	—	4,587	2,07,750		
Gin .. .. .		—	—	—	8,289		
Lamita .. .. .		—	—	—	5,120		
Medicine .. .. .		—	—	—	5,479		
Piece Goods, Cotton, British ..		—	19,674	—	—		
Pepper .. .. .	maunds	2,426	21,188	—	—		
Rattans .. .. .		—	5,889	—	—		
Sundries .. .. .		—	—	—	10,075		
Tin .. .. .	maunds	1,054	32,705	—	—		
				91,269	—	3,17,956	
Treasure .. ..				—	—	27,250	

355. The amount of our shipments to the Mauritius and Bourbon is given at sicca rupees 16,04,050 ; being, in the value of Merchandize, sicca rupees 13,84,550, and of Treasure, sicca rupees 2,19,500. The comparison between this and the year preceding being an increase of sicca rupees 2,38,000, contained in Merchandize, sicca rupees 2,35,250, and sicca rupees 2,750 in Treasure, as per following exhibit:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 765

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Mauritius :  
Exports.

EXPORTS:				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods ..	pieces	48,238	1,12,919	26,517	53,437		
Silk ditto ..	—	4,822	26,904	2,204	13,257		
Shawls .. ..	—	56	8,082	10	1,488		
Indigo .. ..	maunds	112	11,239	—	—		
Sugar .. ..	—	273	2,179	1,336	10,685		
Silk .. ..	—	65	17,731	—	—		
Grain .. ..	—	497,409	7,96,702	6,64,903	10,86,349		
Saltpetre .. ..	—	316	1,389	508	1,979		
Gums .. ..	—	—	—	38	365		
Gunnies and Gunny Bags	pieces	26,000	1,554	31,100	2,238		
Shell Lac .. ..	maunds	—	—	108	1,746		
Turmeric .. ..	—	—	—	672	2,392		
Skins and Hides .. ..	—	—	—	—	382		
Wax Candles .. ..	maunds	169	12,018	21	1,582		
Borax and Tincal .. ..	—	55	1,104	—	—		
Salt Provision .. ..	—	—	20,865	—	27,998		
Canvas .. ..	bolts	243	2,214	100	800		
Hemp, Flax, and Twine ..	maunds	529	7,541	1,437	12,710		
Carpets and Blankets ..	pieces	19,127	14,575	14,270	10,695		
Carriages .. ..	—	13	5,125	64	27,849		
Tobacco .. ..	maunds	—	—	32	160		
Country Sundries .. ..	—	—	18,951	—	11,328		
Liquor .. ..	—	—	—	—	6,117		
Broad Cloth and Woollen, British	—	—	4,121	—	22,590		
Cotton Piece Goods, British	—	—	14,328	—	33,160		
Silk ditto Foreign .. ..	—	—	5,874	—	4,422		
Cotton ditto ditto .. ..	—	—	5,094	—	—		
Books, Foreign .. ..	—	—	6,372	—	2,264		
Tea .. ..	chests	346	9,310	259	7,662		
Cabinet-ware .. ..	—	—	2,448	—	10,166		
Soap, Foreign .. ..	maunds	1,013	8,122	—	—		
Europe Sundries .. ..	—	—	31,739	—	30,729		
				11,49,300	—	13,84,550	
Treasure .. ..				2,16,750	—	2,19,500	
				13,66,050	—	16,04,050	
				Deduct .. ..	—	13,66,050	
				Net Increase .. ..	—	2,38,000	
Increase Merchandize .. ..				2,35,250			
Ditto Treasure .. ..				2,750			
				S. Rs. 2,38,000			

# 766 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

356. The fluctuations or changes which have occurred in the valuation of the Goods are detailed in the following :—

(1.)  
Bengal.  
Mauritius :  
Exports.

EXPORTS:				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. .. pieces	—	—	21,721	59,482			
Silk .. ditto .. .. —	—	—	2,618	13,647			
Shawls .. .. .. —	—	—	46	6,594			
Indigo .. .. .. maunds	—	—	112	11,239			
Sugar .. .. .. —	1,064	8,560	—	—			
Silk .. .. .. —	—	—	65	17,731			
Grain .. .. .. —	1,67,494	2,89,647	—	—			
Saltpetre .. .. .. —	192	590	—	—			
Gums .. .. .. —	38	365	—	—			
Gunnies and Gunny Bags .. pieces	5,100	684	—	—			
Shell Lac .. .. .. maunds	108	1,746	—	—			
Turmeric .. .. .. —	672	2,392	—	—			
Skins and Hides .. .. ..	—	382	—	—			
Wax Candles .. .. .. maunds	—	—	148	10,436			
Borax and Tincal .. .. .. —	—	—	55	1,104			
Salt Provision .. .. ..	—	7,133	—	—			
Canvas .. .. .. bolts	—	—	143	1,414			
Hemp, Flax, and Twine .. .. maunds	908	5,169	—	—			
Carpets and Blankets .. .. pieces	—	—	4,857	3,880			
Carriages .. .. .. —	51	22,724	—	—			
Tobacco .. .. .. maunds	32	160	—	—			
Country Sundries .. .. ..	—	—	—	7,623			
Liquor .. .. ..	—	6,117	—	—			
Broad Cloth and Woollen, British ..	—	18,469	—	—			
Cotton Piece Goods, British .. ..	—	18,832	—	—			
Silk .. ditto .. Foreign .. ..	—	—	—	1,452			
Cotton Piece Goods, Ditto .. ..	—	—	—	5,894			
Books, Foreign .. .. ..	—	—	—	4,108			
Tea .. .. .. chests	—	—	87	1,648			
Cabinet-ware .. .. ..	—	7,718	—	—			
Soap, Foreign .. .. .. maunds	—	—	1,013	8,122			
Europe Sundries .. .. ..	—	—	—	1,010			
Treasure .. .. ..				3,90,634	—	1,55,384	—
				2,750	—	—	—

357. The difference between Imports and Exports, in the year under consideration, compared with the year 1827-28, is sicca rupees 14,82,252. This discrepancy was met or provided for by the shipment of sugars to England, and by bills on India.

358. In the Schedule of Imports from the Mauritius, are included Beetle-nuts, Pepper, Rattans and Tin, articles the produce of the East, but put down as receipts from the Mauritius, from erroneous entries at the Custom-house. All the articles, except the Cloves, were of the production of Europe.

359. In Exports, the preponderance noticed above is to be ascribed to the increased shipment of Grain, the augmentation having been equal to sicca rupees 2,89,647.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Mauritius:  
Exports.

THE CAPE OF GOOD HOPE.

360. The total value of our trade with this settlement, in the year under consideration, was sicca rupees 1,42,410, being, on comparison with the previous year, at a decrease of sicca rupees 54,317.

361. The aggregate of Imports was sicca rupees 17,173; comprehending the value of sicca rupees 12,561 in Merchandize, and sicca rupees 4,612 in Treasure; the comparative difference being a decline of sicca rupees 6,688 in the year under consideration, as per Statement:

Cape of  
Good Hope.

Imports.

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Beads .. .. .				—	9,672	—	—
Cape Wine .. .. .			pipes	10	1,529	3½	410
Constantia Wine .. .. .				—	2,355	—	3,213
Claret, Foreign .. .. .				—	—	—	4,853
Sundries .. .. .				—	10,305	—	4,085
					23,861	—	12,561
			Treasure .. .. .		—	—	4,612
					23,861	—	17,173
			Deduct .. .. .		17,173		
			Net Increase .. .. .		6,688		
Decrease Merchandize .. .. .							11,300
Deduct Increase Treasure .. .. .							4,612
							S. Rs. 6,688

# 768 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

362. The fluctuations to which the Imports have been subject are well expressed in the following Statement :

IMPORTS :	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Beads .. .. .	—	—	—	9,672
Cape Wine .. .. pipes	—	—	6½	1,119
Constantia Wine .. .. .	—	858	—	—
Claret, Foreign .. .. .	—	4,853	—	—
Sundries .. .. .	—	—	—	6,220
		5,711	—	17,011
Treasure .. .. .		4,612		

Exports.

363. The gross value of the Total of our Shipments to the Cape, in the year under consideration, was sicca rupees 1,25,237, being a deficiency of sicca rupees 47,627 on the value of our Exports for the year 1827-28, as per following Table ; viz.

EXPORTS :	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. pieces	64,051	1,03,967	49,568	77,030
Silk ditto .. .. .	1,212	9,831	377	2,350
Shawls .. .. .	3	1,050	1	500
Sugar .. .. . maunds	439	3,517	14	145
Grain .. .. .	21,360	41,712	17,198	27,885
Gunnies and Gunny Bags .. pieces	7,000	880	5,000	200
Turmeric .. .. . maunds	—	—	50	163
Castor Oil .. .. .	—	—	6	137
Canvas .. .. . bolts	174	1,540	20	160
Hemp .. .. . maunds	229	1,146	119	988
Carpets and Blankets .. pieces	—	—	2,000	1,508
Country Sundries .. .. .	—	5,294	—	1,496
Cotton Piece Goods, Foreign .. ..	—	—	—	10,662
Europe Sundries .. .. .	—	3,729	—	2,013
		1,72,866		1,25,237
Deduct .. .. .		1,25,237		
Net Decrease .. .. .		47,629		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 769

364. The Increase or Decrease on the value of Goods exported in 1828-29 is shown in the following Schedule:

EXPORTS:	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. pieces	—	—	14,438	26,937
Silk ditto .. .. .	—	—	835	7,481
Shawls .. .. .	—	—	2	550
Sugar .. .. . maunds	—	—	425	3,372
Grain .. .. .	—	—	4,162	13,827
Gunnies and Gunny Bags .. pieces	—	—	2,000	680
Turmeric .. .. . maunds	50	163	—	—
Castor Oil .. .. .	6	137	—	—
Canvas .. .. . bolts	—	—	154	1,580
Hemp .. .. . maunds	—	—	110	158
Carpets and Blankets .. .. pieces	2,000	1,508	—	—
Country Sundries .. .. .	—	—	—	3,798
Cotton Piece Goods, Foreign .. ..	—	10,662	—	—
Europe Sundries .. .. .	—	—	—	1,716
		12,470	—	60,099

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Cape of  
Good Hope :  
Exports.

365. The difference in the value of Imports and Exports is sicca rupees 1,08,064, the latter so much greater than the former.

366. The Decrease in the value of both Imports and Exports indicates the progressive decay of the Trade of Bengal with the Settlement of the Cape of Good Hope.

## AMERICA.

367. The amount of our relations with America, in the year 1828-29, was sicca rupees 47,89,724; presenting a valued decrease, as compared with the year preceding it, of sicca rupees 8,49,475, as per following Statement:

America.



# 770 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America :  
Imports.

		1827-28.			1828-29.		
		Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
Imports.	IMPORTS :						
	United States of America	4,54,612	17,21,217	21,75,829	4,53,107	15,67,989	20,21,096
	Brazils .. .. .	80,576	10,75,000	11,55,576	—	—	—
	South America .. ..	1,62,328	20,250	1,82,578	2,88,125	2,10,645	4,98,770
	TOTAL ..	6,97,516	28,16,467	35,13,983	7,41,232	17,78,634	25,19,866
Exports.	EXPORTS :						
	United States of America	16,87,548	—	16,87,548	16,01,632	—	16,01,632
	Brazils .. .. .	4,37,668	—	4,37,668	5,68,621	—	5,68,621
	South America .. ..	—	—	—	99,605	—	99,605
	TOTAL ..	21,25,216	—	21,25,216	22,69,858	—	22,69,858

## UNITED STATES OF AMERICA.

America ;  
United States :

368. The aggregate of our trade with the United States, in the year under consideration, was sicca rupees 36,22,728, which, compared with the previous year, exhibits a decline of sicca rupees 2,40,649.

Imports.

369. Of the above aggregate, Importations from the States involve value to the extent of sicca rupees 20,21,096, comprehending the amount of Merchandise, sicca rupees 4,53,107 ; and of Treasure, of sicca rupees 15,67,989. The comparative difference on the operations of the years 1827-28 and 1828-29 being a decrease of sicca rupees 1,54,733 in the years under notice, occurring in the value of Merchandise, sicca rupees 1,505 ; and of Treasure, sicca rupees 1,53,228 ; as exemplified below :

IMPORTS:	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Brandy .. .. .	—	12,717	—	6,341
Copper, Foreign .. .. maunds	5,041	1,46,495	6,675	2,11,912
Cordage .. .. .	—	10,172	—	—
Cochineal .. .. . maunds	24	14,598	25	9,052
Lead, Foreign .. .. .	2,264	20,475	11,746	75,849
Madeira Wine .. .. . pipes	112	36,550	—	—
Morocco .. .. . skins	—	5,821	—	2,835
Piece Goods, Cotton, Foreign .. ..	—	6,337	—	4,954
Ditto .. Silk .. Ditto .. ..	—	679	—	3,220
Pitch and Tar .. .. .	—	4,692	—	5,725
Quicksilver .. .. . maunds	—	—	47	4,002
Steel, Foreign .. .. .	—	—	164	2,542
Segars .. .. .	—	—	—	20,264
Sundries .. .. .	—	69,192	—	66,458
Spelter .. .. . maunds	5,944	42,995	1,816	12,407
Timber and Planks .. .. .	—	77,598	—	27,446
Wine .. .. .	—	6,291	—	100
		4,54,612	—	4,53,107
Treasure .. .. .		17,21,217	—	15,67,989
		21,75,829	—	20,21,096
Deduct .. .. .		20,21,096		
Net Decrease .. .. .		1,54,733		
Decrease, Merchandize .. .. .				1,505
Ditto, Treasure .. .. .				1,53,228
				S. Rs. 1,54,733

370. The fluctuations or changes that have occurred on the articles imported there from the States, are enumerated in the following List:

# 772 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

America ;  
United States :  
Imports.

IMPORTS :					INCREASE.		DECREASE.	
					Quantity.	Value.	Quantity.	Value.
Brandy .. .. .	..	..	..	..	—	—	—	6,376
Copper, Foreign .. ..	..	..	maunds	..	1,634	65,417	—	—
Cordage .. .. .	..	..	..	..	—	—	—	10,172
Cochineal .. .. .	..	..	maunds	..	1	—	—	5,546
Lead, Foreign .. .. .	..	..	..	..	9,482	55,374	—	—
Madeira Wine .. .. .	..	..	..	pipes	—	—	112	36,550
Morocco .. .. .	..	..	..	skins	—	—	—	2,986
Piece Goods, Cotton, Foreign .. ..	..	..	..	..	—	—	—	1,383
Ditto .. Silk .. Ditto .. ..	..	..	..	..	—	2,541	—	—
Pitch and Tar .. .. .	..	..	..	..	—	1,033	—	—
Quicksilver .. .. .	..	..	maunds	..	47	4,002	—	—
Steel, Foreign .. .. .	..	..	..	..	164	2,542	—	—
Segars .. .. .	..	..	..	..	—	20,264	—	—
Sundries .. .. .	..	..	..	..	—	—	—	2,734
Spelter .. .. .	..	..	maunds	..	—	—	4,128	30,588
Timber and Planks .. .. .	..	..	..	..	—	—	—	50,152
Wine .. .. .	..	..	..	..	—	—	—	6,191
					1,51,173		1,52,678	
					Treasure .. .. .		1,53,228	

Exports.

371. The amount value of our Exportations to the United States, in the year 1828-29 is sicca rupees 16,01,632, comprehended in merchandize; the comparative difference of which is a deficiency in the value of shipments, in 1827-28, of sicca rupees 85,916, as expressed in the following Statement:

EXPORTS :					1827-28.		1828-29.	
					Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. ..	..	pieces	..	..	10,521	21,985	23,780	72,594
Silk ditto .. .. .	..	..	..	..	94,516	4,14,709	1,70,766	5,80,720
Indigo .. .. .	..	..	maunds	..	8,487	8,48,779	4,759	4,75,899
Sugar .. .. .	..	..	..	..	530	4,234	12,152	97,214
Saltpetre .. .. .	..	..	..	..	29,648	1,21,626	42,336	1,72,449
Gums .. .. .	..	..	..	..	915	8,956	593	6,133
Shell Lac .. .. .	..	..	..	..	2,914	51,179	2,818	46,917
Lac Dye .. .. .	..	..	..	..	20	1,761	24	2,311
Skins and Hides .. .. .	..	..	..	..	—	41,545	—	45,893
Gunnies and Gunny Bags .. ..	..	pieces	..	..	22,608	2,325	81,900	4,516
Ginger .. .. .	..	..	maunds	..	2,755	8,264	6,975	21,107

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 773

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America.  
United States :  
Exports.

EXPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Turmeric .. ..	maunds	1,653	5,220	993	3,220		
Sal Ammoniac .. ..	—	—	—	316	5,051		
Borax and Tincal .. ..	—	—	—	286	5,719		
Hemp, Flax, and Twine .. ..	—	2,245	28,047	1,994	24,044		
Country Sundries .. ..	—	—	9,871	—	1,874		
Cotton Piece Goods, Foreign .. ..	—	—	57,435	—	2,148		
Gum, Foreign .. ..	maunds	1,042	14,491	163	2,101		
Skins, ditto .. ..	—	—	21,549	—	6,319		
Coir .. ..	maunds	—	—	1,023	4,697		
Hemp, Manilla .. ..	—	677	5,967	—	—		
Europe Sundries .. ..	—	—	19,605	—	20,706		
Deduct .. ..				—	16,87,548	—	16,01,632
Net Decrease .. ..				—	85,916		

372. The details of the fluctuations to which our Export Trade with the States has been subject, in the year under consideration, are shown in the following Table:

EXPORTS :				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods .. ..	pieces	13,259	50,609	—	—	—	—
Silk .. ditto .. ..	—	76,250	1,66,011	—	—	—	—
Indigo .. ..	maunds	—	—	3,728	3,72,880	—	—
Sugar .. ..	—	11,622	92,980	—	—	—	—
Saltpetre .. ..	—	12,688	50,823	—	—	—	—
Gums .. ..	—	—	—	322	2,823	—	—
Shell Lac .. ..	—	—	—	96	4,262	—	—
Lac Dye .. ..	—	4	550	—	—	—	—
Skins and Hides .. ..	—	—	4,348	—	—	—	—
Gunnies and Gunny Bags .. ..	pieces	59,292	2,191	—	—	—	—
Ginger .. ..	maunds	4,220	12,843	—	—	—	—
Turmeric .. ..	—	—	—	660	2,000	—	—
Sal Ammoniac .. ..	—	316	5,051	—	—	—	—
Borax and Tincal .. ..	—	286	5,719	—	—	—	—
Hemp, Flax, and Twine .. ..	—	—	—	251	4,003	—	—
Country Sundries .. ..	—	—	—	—	7,997	—	—
Cotton Piece Goods, Foreign .. ..	—	—	—	—	55,287	—	—
Silk, Foreign .. ..	maunds	—	—	879	12,390	—	—
Skins, ditto .. ..	—	—	—	—	15,230	—	—
Coir .. ..	maunds	1,023	4,697	—	—	—	—
Hemp, Manilla .. ..	—	—	—	677	5,967	—	—
Europe Sundries .. ..	—	—	1,101	—	—	—	—
				3,96,923	—	4,82,839	—

## 774 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America.  
United States :  
Exports.

373. Comparing the value of the goods imported with the official value of Exportations, the former is sicca rupees 4,19,464 above the amount of the latter; but if the shipments be taken at their approximate valuation, Exports will be found to exceed Imports by sicca rupees 2,55,492, as under :

Exports: Amount, per official exhibit .. .. .	16,01,632
Add difference between official and market value on maunds 4,769 of Indigo, at 130 per maund .. .. .	6,18,670
Add on the amount of Exports less value of Indigo, say on sicca rupees 11,25,733, at 5 per cent. .. .. .	56,286
	<hr/> 22,76,588
IMPORTS: Amount of, officially .. .. .	20,21,096
	<hr/>
Exports in excess of value .. .. . S. Rs.	2,55,492

which balance of trade has been provided for by bills on England.

374. Independently of the considerable deficiency in the value of the trade in the year under consideration, compared with the operations of the previous year, the disproportion in the amount of Treasure imported, compared with the value of Merchandize,\* indicates the difficulty and disadvantage which exists in maintaining the intercourse; and if to this be added the losses likely to accrue on the goods shipped from hence, we may venture to say that our transactions with the United States of America will be hereafter confined within very narrow bounds.

375. In the Imports from the States, the fluctuations which particularly draw attention are increase in Copper, the produce of South America, which, in the year under consideration, exceeds the value of the previous year by sicca rupees 65,417; in Lead (the produce of Europe), sicca rupees 55,374; and Segars, produce of the States, but prepared in counterfeit of the Havannah, sicca rupees 20,264. On the reverse, the decline in the value of Brandy, the produce of France, always of inferior quality, has been sicca rupees 6,376; in Cordage, American manufacture, from no importation in 1828-29, sicca rupees 10,172; Cochineal, identified with the products of the States, sicca rupees 5,546; Madeira Wine, from the absence of importation in the year under review, sicca rupees 36,550; Spelter, the produce of the Russian Empire, originally imported from France, sicca rupees 30,588; and in Timber and Planks, the produce of the Union, sicca rupees 50,152.

376. In respect to Exports, considerable improvement took place in the shipments of Cotton Piece Goods, the produce of the Honourable Company's territories, of Silk Piece Goods, Sugar, Saltpetre, and Ginger; but these advantages are neutralized by the comparative decline in the value of Indigo, which is sicca rupees 3,72,880; of Gums, sicca rupees 15,213; Shell Lac, sicca rupees 4,262; Turmeric, sicca rupees 2,000; Hemp and

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\* Merchandize .. .. 4,53,107  
Treasure .. .. 15,67,980

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 775

Twine, sicca rupees 4,003; Cotton Piece Goods, the produce of the Vizier's dominions, sicca rupees 55,287; Skins, sicca rupees 10,882; and Manilla Hemp, from no shipment in the year under review, sicca rupees 5,967. Experimental shipments of Borax and Tincal, Salammoniack, and Coir for Cordage, appear to have been made in the year.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America.

United States;  
Exports.

## BRAZILS.

377. The amount of our operations in the year 1828-29, was no more than a single shipment.

Brazils.

378. There were no Importations from the Brazils within the year 1828-29. The receipts noticed in our report for 1827-28, arrived here at the close of this year, and the operations of the vessels in question appear in the transactions of the year under consideration. Value of Imports in the year 1827-28, sicca rupees 11,55,576, comprehending Merchandize, sicca rupees 80,576, and Treasure, sicca rupees 10,75,000; producing a deficiency in the year 1828-29 equal to the amount of the previous year, as per following Statement:

Imports.

IMPORTS :			1827-28.		1828-29.	
			Quantity.	Value.	Quantity.	Value.
Copper, British .. ..	maunds		1,349	55,995	—	—
Copper, Foreign .. ..	—		48	1,880	—	—
Elephants' Teeth .. ..	—		47	4,604	—	—
Sundries .. ..			—	2,622	—	—
Wine .. ..			—	15,475	—	—
				80,576		
Treasure .. ..				10,75,000		
				11,55,57		

379. The amount of Exportations is represented at sicca rupees 5,68,621, which compared with the shipments of the previous year, 1827-28, is an increase of sicca rupees 1,30,953, as shown in the annexed Table:

Exports.

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## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.

America.  
Brazils :  
Exports.

				1827-28.		1828-29.	
EXPORTS :				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces		1,15,101	4,34,024	1,75,125	5,36,077
Silk Piece Goods	..	—		221	2,002	421	3,400
Embroidered Piece Goods	..	—		11	336	220	4,008
Shawls	.. ..	—		—	—	78	4,149
Indigo	.. ..	maunds		—	—	176	17,603
Hemp, Flax, and Twine		—		—	—	80	1,120
Country Sundries	.. ..			—	169	—	643
Europe Sundries	.. ..			—	1,137	—	1,621
				4,37,668		—	5,68,621

(All Decrease.)

380. The comparison between the value of Imports and Exports, upon the basis of the above exhibits, is Exports in the year 1828-29, sicca rupees 5,68,621, without Importations in the year; and Exports, in 1827-28, less than the value of Imports of the same year, sicca rupees 7,17,908. But this discrepancy requires explanation; and the case in its effectual character, is thus; the Importation of 1827-28 is the arrival of two ships, the Febeiro and Flora, towards the latter end of the year, which commenced reloading before the close of the year; the shipments made within this period form the Exports of the year 1827-28; they completed their operations in the year 1828-29, so that the aggregate of the Exportations of both years, on sicca rupees 10,06,289, ought to be set against the Importation exhibited in 1827-28, or sicca rupees 11,55,576, which will show a balance of sicca rupees 1,49,289 of Imports in excess of Exports; and this difference will be absorbed, if Indigo, in the Exports, be rated at market value, and the amount of treasure in Imports be taken at its real value, which on Spanish dollars is about 8 per cent. below the Custom-house valuation of this currency.

381. The trade with the Brazils may be considered precarious. Of the productions of the Brazils, Bullion is all that can be imported from thence, and if the profits on the returns from hence, besides the fair and reasonable advantage in trade, will not yield the freight charges of the outward voyage, our relations with the Brazils must of necessity be suspended.

## WESTERN COAST OF SOUTH AMERICA.

Western Coast  
of South America.

382. The amount of our trade with this portion of the Continent of America, is represented at the valuation of sicca rupees 5,98,375, being sicca rupees 4,15,797 above the operations of the previous year.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 777

383. Of the above amount Importations comprehend sicca rupees 4,98,770, comprised in the value of Merchandize, sicca rupees 2,88,125, and of Treasure, sicca rupees 2,10,645. The comparative result of the two years under notice being an increase in the year 1828-29 of sicca rupees 3,16,192, or sicca rupees 1,25,797 on Merchandize, and sicca rupees 1,90,395 on Treasure, as per following Statement:—

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America.  
Western Coast  
of South America :  
Imports.

IMPORTS :				1827-28.		1828-29.	
				Quantity.	Value.	Quantity.	Value.
Copper .. ..	maunds	6,498	1,60,730	9,192	2,66,003		
Champaign .. ..		—	—	—	3,004		
Gin .. ..		—	—	—	4,510		
Pewter .. ..		—	—	545	7,920		
Sundries .. ..		—	1,598	—	4,663		
Velvets, Foreign .. ..		—	—	—	2,025		
					1,62,328	—	2,88,125
Treasure .. ..					20,250	—	2,10,645
					1,82,578	—	4,98,770
					Deduct .. ..		1,82,578
Net Increase .. ..					S. Rs.		3,16,192

384. The details of the increase are shown in the following statement, viz.

IMPORTS :				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Copper .. ..	maunds	2,694	1,05,273	—	—		
Champaign .. ..		—	3,004	—	—		
Gin .. ..		—	4,510	—	—		
Pewter .. ..		545	7,920	—	—		
Sundries .. ..		—	3,065	—	—		
Velvets, Foreign .. ..		—	2,025	—	—		
					1,25,797		
Treasure .. ..					1,90,395		



# 778 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

America.  
Western Coast  
of South America :  
Imports.

385. The value of shipments made to the Western Coast of South America, in the year 1828-29, amounted to sicca rupees 99,605, and as there were no Exportations in the foregoing year, this sum appears as a comparative excess between the two years, as per annexed Exhibit:

EXPORTS:	1827-28.		1828-29.	
	Quantity.	Value.	Quantity.	Value.
Silk Piece Goods .. .. pieces	—	—	1,040	7,290
Sugar .. .. maunds	—	—	10,784	86,275
Gunnies and Gunny Bags .. pieces	—	—	30,000	2,640
Country Sundries .. ..	—	—	—	1,091
Europe Sundries .. ..	—	—	—	2,309
(All Increase.)				99,605

386. The comparison between the Imports and Exports of the year 1828-29 is sicca rupees 3,99,165, the former more than the latter; this balance of trade is partly met by the value of Piece Goods that are taken at Bimlipatam and Ingeram, in competition of the adventure, and the residue may be considered as profits returned upon the preceding voyage. The trade with the Western Coast of South America is sustained by one or two adventures belonging to this port, and is commenced by shipments from hence. The articles of our produce taken in prosecution of the commerce, are coarse coloured and white Cotton Piece Goods, and Sugar. In respect to the first, it is probable that the United States of America will anticipate our supplies; and without Piece Goods the trade is not worth the pursuit. Our Imports are Copper and Bullion. We may consider our relations with this Western Coast of South America as capable of considerable extension, but liable to be interrupted, if not suspended, by the opposition of the United States of America, and by our supplies of Cotton Piece Goods being superseded also from England.

GENERAL

GENERAL OBSERVATIONS ON THE EXTERNAL TRADE OF BENGAL.

EXTERNAL  
AND INTERNAL  
COMMERCE

(1.)  
Bengal.

General  
Observations.  
External Trade.

387. Having closed our review of the Trade of Bengal in its details, we condense it by the following observations and recapitulations:

388. The aggregate of our commercial relations, that is of Imports and Exports, in the year 1828-29, stands at sicca rupees 8,91,40,258; which, compared with the previous year, or 1827-28, shows a deficiency in value of sicca rupees 1,70,67,009.

389. The total of our Importations in the year under consideration, was sicca rupees 3,70,95,106; which, compared with the value of receipts in the preceding year, is a deficiency of sicca rupees 51,04,070.

390. The total value of our Exportations was sicca rupees 5,20,45,152, and the comparison between the two years under review is a decline of sicca rupees 1,19,62,939 in the year 1828-29.

391. The amount of Importations (sicca rupees 3,70,95,106), comprehend the value of Merchandize, sicca rupees 3,01,92,732, and of Treasure, sicca rupees 69,02,374; which results, compared with those of the previous, or year 1827-28, are an increase in Merchandize, sicca rupees 21,95,165, and a decline in Treasure, sicca rupees 72,99,235.

392. The aggregate of Exports (sicca rupees 5,20,45,152), involves the value of Merchandize, sicca rupees 5,02,81,959, and of Treasure, sicca rupees 17,63,193. The comparison between which and the results of the preceding year, is a deficiency in Merchandize, sicca rupees 92,45,145, and in Treasure, sicca rupees 27,17,791.

393. The Statement which follows, exhibits the fluctuations that occurred in each description of Goods comprehended in the operations of the External Trade of the year 1828-29, compared with the previous year, *viz.*

IMPORTS:	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Books .. .. .	—	—	—	25,613
Beads .. .. .	—	36,183	—	—
Beetle-nuts .. .. maunds	—	—	2,110	10,378
Brimstone .. .. .	—	—	11,628	29,935
Broad Cloth and Woollen, British ..	—	—	—	7,32,158
Ditto .. ditto Foreign	—	—	—	98,676
Bottles, empty .. .. .	—	—	—	22,371
Braziers .. .. .	—	34,252	—	—
Brass-Ware .. .. .	—	—	—	21,248
Brass Leaf .. .. .	—	17,747	—	—
Confectionery .. .. .	—	—	—	6,664
Cutlery .. .. .	—	—	—	14,062
Copper, British .. .. maunds	—	—	—	56,619
Copper, Foreign .. .. .	—	—	268	10,84,948
Clocks and Watches .. .. .	—	—	31,833	31,031
Cordage .. .. .	—	—	—	22,070

(continued.)

EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.

## IMPORTS—continued.

General  
Observations.  
External Trade.

				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Coir .. ..	maunds	—	—	—	—	11,618	54,111
Corals, False .. ..	.. ..	—	—	—	—	—	18,562
Carriages .. ..	.. ..	—	—	—	14,478	—	—
Corks .. ..	.. ..	—	—	—	—	—	13,325
Coffee .. ..	maunds	—	—	—	—	389	4,587
Chanks .. ..	.. ..	—	—	—	—	—	1,29,507
Camphire .. ..	maunds	—	—	—	—	20	8,358
Cocoa-Nuts .. ..	.. ..	—	—	—	—	—	47,034
Cocoa-Nut Oil .. ..	maunds	—	—	—	—	3,847	39,627
Cocoa-Nut Kernel .. ..	—	13,393	31,976	—	—	—	—
Cassia .. ..	—	1,202	24,398	—	—	—	—
Canvas and Vitry .. ..	.. ..	—	—	—	—	—	49,180
Cochineal .. ..	maunds	227	86,483	—	—	—	—
Coals .. ..	.. ..	—	—	—	—	—	25,314
Cotton Yarn, British .. ..	maunds	3,477	2,19,359	—	—	—	—
Cotton Yarn, Foreign .. ..	—	45	7,042	—	—	—	—
Cotton Twist .. ..	—	10,420	8,36,250	—	—	—	—
Cotton Mule Twist .. ..	—	6,534	5,35,235	—	—	—	—
Cloves .. ..	—	—	—	—	—	3,873	2,10,384
Cotton .. ..	—	—	—	—	—	5,812	67,023
Dates .. ..	—	8,370	12,218	—	—	—	—
Fowling-pieces and Pistols .. ..	.. ..	—	—	—	—	—	38,736
Flannel and Blankets .. ..	.. ..	—	—	—	—	—	89,372
Groceries .. ..	.. ..	—	—	—	—	—	22,653
Glass-Ware .. ..	.. ..	—	—	—	—	—	1,26,412
Gall Nuts .. ..	.. ..	—	—	—	—	1,188	25,472
Gold Thread and Lace .. ..	.. ..	—	—	—	—	—	20,908
Gums .. ..	maunds	—	—	—	—	2,383	13,461
Hosiery .. ..	.. ..	—	—	—	—	—	13,589
Haberdashery .. ..	.. ..	—	41,280	—	—	—	—
Hardware .. ..	.. ..	—	—	—	—	—	52,367
Iron, British .. ..	maunds	48,817	1,31,751	—	—	—	—
Iron, Foreign .. ..	—	10,395	45,835	—	—	—	—
Ironmongery .. ..	.. ..	—	77,548	—	—	—	—
Instruments, Musical .. ..	.. ..	—	—	—	—	—	17,848
Ditto .. Mathematical, and Maps .. ..	.. ..	—	—	—	—	—	19,513
Indigo .. ..	maunds	270	26,232	—	—	—	—
Iron Pans .. ..	.. ..	—	—	—	—	—	15,524
Jewellery .. ..	.. ..	—	—	—	—	—	1,02,715
Kittisols .. ..	.. ..	—	13,095	—	—	—	—
Lead, British .. ..	maunds	10,864	69,734	—	—	—	—
Lead, Foreign .. ..	—	15,249	80,108	—	—	—	—

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 781

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
External Trade.

IMPORTS—continued.	INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.
Lead, Red .. .. .	—	—	—	17,133
Lead, White .. .. .	—	—	—	6,657
Lamita .. .. .	—	—	—	22,702
Millinery .. .. .	—	—	—	49,716
Medicines .. .. .	—	—	—	49,535
Machinery .. .. .	—	66,972	—	—
Mace .. .. . maunds	—	—	177	16,239
Military Stores .. .. .	—	—	—	20,000
Nankeens .. .. . pieces	—	—	551	9,264
Nutmegs .. .. . maunds	349	27,792	—	—
Piece Goods and Cotton, British ..	—	23,50,716	—	—
Ditto ditto Foreign ..	—	1,32,342	—	—
Ditto Silk, British ..	—	1,96,549	—	—
Ditto Cotton, Foreign ..	—	—	—	2,00,845
Perfumery .. .. .	—	—	—	10,370
Plated-ware .. .. .	—	—	—	75,041
Pictures and Prints .. .. .	—	42,505	—	—
Pepper .. .. . maunds	—	—	9,299	95,613
Queen's-ware .. .. .	—	—	—	37,254
Quicksilver .. .. . maunds	244	36,081	—	—
Stationery .. .. .	—	43,229	—	—
Saddlery .. .. .	—	—	—	32,385
Ship Chandlery .. .. .	—	—	—	16,261
Sugar-candy .. .. .	—	—	—	15,190
Sandal Wood .. .. . maunds	—	—	3,184	30,979
Sappan Wood .. .. .	20,633	49,191	—	—
Steel, Foreign .. .. .	—	—	3,493	6,481
Skins and Hides .. .. .	—	17,737	—	—
Segars .. .. .	—	47,681	—	—
Sundries .. .. .	—	85,154	—	—
Spelter .. .. . maunds	—	—	55,278	4,90,681
Stick Lac .. .. .	—	—	861	11,953
Salt .. .. .	12,411	37,233	—	—
Steam Engine .. .. .	—	—	—	50,304
Timbers and Planks .. .. .	—	36,704	—	—
Tin .. .. . maunds	18,208	4,35,196	—	—
Tea .. .. . chests	—	—	6,121½	1,41,038
Tinsel .. .. .	—	—	—	19,845
Tortoiseshell .. .. .	—	30,563	—	—
Ticken and Quiltings .. .. .	—	11,006	—	—
Velvets, Foreign .. .. .	—	—	—	96,776
Vermillion .. .. .	—	—	—	36,357

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EXTERNAL  
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COMMERCE.

(1.)  
Bengal.

General  
Observations.  
External Trade.

					INCREASE.		DECREASE.	
					Quantity.	Value.	Quantity.	Value.
IMPORTS—continued.								
Wax	..	..	..	maunds	—	—	407	18,185
Wearing Apparel	..	..	..	..	—	—	—	47,143
Barsac	..	..	..	..	4,75,869	—	—	—
Claret, English and Foreign	..	..	..	..				
Champaign and Burgundy	..	..	..	..				
Cape Wine	..	..	..	..				
Constantia Wine	..	..	..	..				
Hock	..	..	..	..				
Hermitage	..	..	..	..				
Lisbon Wine	..	..	..	..				
Madeira Wine	..	..	..	..				
Port Wine	..	..	..	..				
Sherauz Wine	..	..	..	..	2,25,220	—	—	—
Sauterne	..	..	..	..				
Vin de Grave	..	..	..	..				
Sundries, Wine	..	..	..	..				
Brandy, Cherry	..	..	..	..	—	—	—	3,822
Gin	..	..	..	..				
Rum and Arrack	..	..	..	..				
Whiskey	..	..	..	..				
Cider and Perry	..	..	..	..	—	—	—	—
Sherry	..	..	..	..	4,20,010	—	—	—
Malt Liquor	..	..	..	..	1,03,538	—	—	—
Vinegar	..	..	..	..	—	—	—	8,203
					72,12,492	—	—	50,17,327
					Treasure		..	72,99,235
					Deduct Increase		..	1,23,16,562
							..	72,12,492
					Net Decrease		..	51,04,070

Decrease Treasure .. .. 72,99,235  
Deduct Increase Merchandize .. .. 21,95,165

S. Rs. 51,04,070

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
External Trade.

EXPORTS:			INCREASE.		DECREASE.	
			Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces	—	—	1,79,894	6,20,164
Silk ditto	..	—	—	—	14,226	4,75,042
Shawls	..	—	—	17,819	35	—
Indigo	..	maunds	—	—	44,195	69,78,964
Sugar	..	—	2,18,034	19,10,301	—	—
Silk	..	—	4,732	10,07,185	—	—
Grain	..	—	—	—	81,138	61,702
Behar Opium	..	chests	—	—	1,064	23,81,495
Benares Opium	..	—	—	—	250	6,56,745
Malwa Opium	..	—	—	—	35	50,025
Saltpetre	..	maunds	20,110	1,21,041	—	—
Gums	..	—	—	—	2,889	24,621
Cotton	..	—	—	—	15,001	6,74,439
Gunnies and Gunny Bags	..	pieces	14,76,879	44,735	—	—
Lack Dye	..	—	—	—	1,586	3,03,569
Shell Lac	..	—	1,934	35,781	—	—
Stick Lac	..	—	—	—	2,626	32,013
Long Pepper	..	—	—	—	760	17,148
Turmeric	..	—	11,091	43,593	—	—
Castor Oil	..	—	1,132	20,093	—	—
Safflower	..	maunds	—	—	2,175	51,089
Ginger	..	—	3,724	14,294	—	—
Wax Candles	..	—	—	—	151	10,034
Sal ammoniac	..	—	788	10,614	—	—
Borax and Tincal	..	—	1,570	27,969	—	—
Salt Provision	..	—	—	31,729	—	—
Canvas	..	bolts	—	—	3,734	51,066
Jute Rope	..	maunds	9,836	13,322	—	—
Saul Timbers	..	—	—	14,657	—	—
Comercolly Feathers	..	—	—	—	—	27,227
Carriages and Palanquins	..	—	65	36,431	—	—
Country Sundries	..	—	—	—	—	27,726
Cleves	..	maunds	—	—	1,363	64,010
Nutmegs	..	—	—	—	113	9,985
Mace	..	—	—	—	225	22,722
Madeira Wine	..	pipes	—	—	2,392	77,512
Liquor	..	—	—	47,797	—	—
Pepper	..	maunds	—	—	8,869	83,695
Copper, British	..	—	—	—	811	33,812
Ditto, Foreign	..	—	—	—	230	24,990
Tin Plates and Ware	..	—	—	—	—	10,915
Coffee	..	maunds	—	—	2,887	56,668
Rattans	..	—	—	16,581	—	—
Gall Nuts	..	maunds	—	—	782	18,747
Camphire	..	—	—	—	333	20,078
Sandal-Wood	..	—	—	—	1,207	11,828
Broad Cloth and Woollen	..	—	—	2,99,903	—	—

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EXTERNAL  
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COMMERCE.

(1.)  
Bengal.

General  
Observations.  
External Trade.

## EXPORTS—continued.

				INCREASE.		DECREASE.	
				Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods, British	..	..		—	—	—	1,25,499
Cotton Piece Goods, Foreign	..	..		—	—	—	1,05,171
Silk Piece Goods, British	..	..		—	1,01,198	—	—
Ditto .. .. Foreign	..	..		—	—	—	18,585
Cochineal	..	..	maunds	83	35,134	—	—
Pearls, Diamonds, and Emeralds	..	..		—	10,661	—	—
Books, Foreign	..	..		—	19,307	—	—
Tortoise-shell	..	..	maunds	15½	22,668	—	—
Gumis, Foreign	..	..		1,913	14,138	—	—
Skins, ditto	..	..		—	—	—	16,395
Tea	..	..	chests	—	—	355	12,323
Iron, British	..	..	maunds	—	—	1,474	11,823
Tin	..	..		1,526	34,023	—	—
Corks	..	..		—	10,294	—	—
Corals	..	..		—	—	—	31,683
Instruments, Musical	..	..		—	14,757	—	—
Hosiery	..	..		—	—	—	11,741
Cotton, Foreign	..	..	maunds	906	10,624	—	—
Cotton Twist, British	..	..		103	10,371	—	—
Flannel	..	..		—	27,365	—	—
Europe Sundries	..	..		—	—	—	58,279
				40,24,385		—	1,32,69,530
						Treasure .. ..	27,17,794
							1,59,87,324
						Deduct Increase .. ..	10,24,385
						Net Decrease .. ..	1,19,62,939

Decrease Merchandize .. .. . S. Rs. 92,45,145  
Ditto Treasure .. .. . .. 27,17,794

S.Rs. 1,19,62,939

394. The Importations of the year under consideration, having been shown to amount to sicca rupees 3,70,95,106, and Exportations at sicca rupees 5,20,45,152, the following Statement contains a condensed view of our Commerce with each Division of the Globe;

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 785

and, subdividedly, with each Kingdom or State, at present maintaining relations with India, the value of which is reduced to comparative proportions. The trade of the Honourable Company, as heretofore, is shown below.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

## ABSTRACT STATEMENT of IMPORTS and EXPORTS in the Year 1828-29.

				IMPORTS.	Per Centage.	EXPORTS.	Per Centage.
EUROPE :							
United Kingdom	..	..	..	(a) 2,24,29,808	6 $\frac{7}{8}$	(b) 2,70,07,907	51 $\frac{1}{8}$
France	..	..	..	22,04,250	51 $\frac{5}{8}$	23,87,107	4 $\frac{9}{8}$
Hamburg	..	..	..	3,73,232	1	—	—
Sweden	..	..	..	82,761	— $\frac{1}{8}$	1,74,322	— $\frac{5}{8}$
Portugal	..	..	..	—	—	1,12,433	— $\frac{4}{8}$
				2,50,90,051	67 $\frac{1}{8}$	2,96,81,769	57
ASIA :							
Coast of Coromandel	..	..	..	5,31,130	1 $\frac{7}{8}$	6,51,227	1 $\frac{1}{8}$
Coast of Malabar	..	..	..	7,98,641	2 $\frac{3}{8}$	17,09,272	3 $\frac{5}{8}$
Ceylon	..	..	..	33,170	— $\frac{1}{8}$	29,286	— $\frac{1}{8}$
New South Wales	..	..	..	25,088	— $\frac{1}{8}$	76,585	— $\frac{2}{8}$
Arabian and Persian Gulfs	..	..	..	7,78,281	2 $\frac{2}{8}$	17,98,927	3 $\frac{7}{8}$
Penang and Eastward	..	..	..	16,48,760	4 $\frac{7}{8}$	(c) 31,68,333	6 $\frac{9}{8}$
Java	..	..	..	1,40,945	— $\frac{6}{8}$	1,74,299	— $\frac{5}{8}$
Manilla	..	..	..	31,710	— $\frac{1}{8}$	—	—
China	..	..	..	30,43,828	8 $\frac{3}{8}$	(d) 97,69,876	181 $\frac{2}{8}$
Pegue	..	..	..	(e) 22,25,291	6	9,35,162	1 $\frac{1}{8}$
Maldiv Islands	..	..	..	89,374	— $\frac{4}{8}$	51,271	— $\frac{2}{8}$
				93,46,218	25 $\frac{3}{8}$	1,83,64,238	35 $\frac{5}{8}$
AFRICA :							
Mauritius	..	..	..	1,21,178	— $\frac{2}{8}$	16,04,050	3 $\frac{1}{8}$
Cape of Good Hope	..	..	..	17,173	— $\frac{1}{8}$	1,25,237	— $\frac{4}{8}$
				1,38,971	— $\frac{6}{8}$	17,29,287	3 $\frac{5}{8}$

General  
Observations.  
External Trade.

\* \* \* (a), (b), (c), (d), (e).—See notes at the end of this abstract, at page 786.



# 786 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.  
General  
Observations.  
External Trade.

AMERICA :	IMPORTS.	Per-centage.	EXPORTS.	Per-centage.
United States of America .. ..	20,21,096	57 $\frac{7}{8}$	16,01,632	37 $\frac{1}{8}$
Brazils .. .. .	—	—	5,68,621	12 $\frac{5}{8}$
South America .. .. .	4,98,770	13 $\frac{5}{8}$	99,605	2 $\frac{3}{8}$
	25,19,866	61 $\frac{3}{8}$	22,69,858	47 $\frac{6}{8}$
GRAND TOTAL .. S. Rs.	3,70,95,106	100	5,20,45,152	100

(a)	(d)
Honourable Company's Trade .. 3,98,330	Honourable Company's Trade .. 22,45,429
Private Individuals .. .. 2,20,31,478	Private ditto .. .. 75,24,447
S. Rs. 2,24,29,808	S. Rs. 97,69,876

(b)	(e)
Honourable Company's Trade .. 1,41,26,165	Honourable Company's Trade .. 14,87,570
Private ditto .. .. 1,28,81,742	Private ditto .. .. 7,37,721
S. Rs. 2,70,07,907	S. Rs. 22,25,291

(c)
Honourable Company's Trade .. 3,00,000
Private ditto .. .. 28,68,333
S. Rs. 31,68,333

395. We have already shown that the amount of Importations in the year under consideration was sicca rupees 3,70,95,106, and that it comprehends the value of Merchandize at sicca rupees 3,01,92,732, and of Treasure sicca rupees 69,02,374. This amount subdivided, in order to exhibit the collection of duties thereon, stands thus:

Value of Merchandize imported on } S. Rs. 2,15,61,687 ..	Duty 9,94,855
British vessels .. .. . }	
Ditto .. on Foreign vessels .. S. Rs. 21,91,998 ..	— 3,43,607
S. Rs. 2,37,53,685 ..	— 13,38,462

396. The Exports have been presented at an aggregate of sicca rupees 5,20,45,152, made up of the value of Merchandize at sicca rupees 5,02,81,959, and of Treasure sicca rupees 17,63,193. The duty collected on the former has been sicca rupees 1,37,006, as under:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 787

Value of Merchandize exported on } S. Rs. 19,28,066 .. .. Duty 57,304	
British vessels .. .. .. } S. Rs. 17,66,548 .. .. — 79,702	
Ditto .. on Foreign ditto .. ..	
	S. Rs. 36,94,614 .. .. — 1,37,006

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
External Trade.

397. The proportions of the collections, or duties paid, are as under:

Imports on British vessels .. .. . a' 4. 9. 9 $\frac{3}{4}$ per cent.	
Ditto .. Foreign ditto .. .. . a' 15. 10. 9 $\frac{3}{4}$ —	
Exports on British ditto .. .. . a' 2. 15. 6 $\frac{1}{4}$ —	
Ditto .. Foreign ditto .. .. . a' 4. 8. 2 $\frac{1}{4}$ —	

as detailed in the following Statements:

	ON BRITISH SHIPS.		ON FOREIGN SHIPS.		TOTAL.	
	Value of Merchandize.	Amount Duty.	Value of Merchandize.	Amount Duty.	Value of Merchandize	Amount Duty.
<b>IMPORTS:</b>						
Duty .. ..	2,15,61,687	9,94,855	21,91,998	3,43,607	2,37,53,685	13,38,462
Free .. ..	64,39,047	—	—	—	64,39,047	—
Treasure .. ..	46,74,218	—	22,28,156	—	69,02,374	—
	3,26,74,952	9,94,855	44,20,154	3,43,607	3,07,95,106	13,38,462
<b>EXPORTS:</b>						
Duty .. ..	19,28,066	57,304	17,66,548	79,702	36,94,614	1,37,006
Free .. ..	4,48,25,716	—	17,61,629	—	4,65,87,345	—
Treasure .. ..	17,51,943	—	11,250	—	17,63,193	—
	4,85,05,725	57,304	35,39,427	79,702	5,20,45,152	1,37,006
<b>GRAND TOTAL ..</b>	<b>8,11,80,677</b>	<b>10,52,159</b>	<b>79,59,581</b>	<b>4,23,309</b>	<b>8,91,40,258</b>	<b>14,75,468</b>

Amount of Duties on Imports by Sea .. .. .	13,38,462
Ditto .. ditto Exports by Sea .. .. .	1,37,006

S. Rs. 14,75,468

Amount of Duties collected on Merchandize imported and exported on British ships .. .. .	10,52,159
Amount of Duties collected on Merchandize imported and exported on Foreign ships .. .. .	4,23,309

Total .. .. S. Rs. 14,75,468

# 788 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

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398. The comparison in the collection of duties between the two years under consideration, is an excess in the year 1828-29 of sicca rupees 52,543, made up by an increase on Imports of sicca rupees 1,29,851, and a decrease on Exportations of sicca rupees 77,308, as represented in the annexed Table:

1828-29 :					
Amount of Government Customs on Imports by Sea	..	S. Rs.	13,38,462		
Ditto .. ditto .. on Exports by Sea	..	..	1,37,006		
					14,75,468
1827-28 :					
Amount of Government Customs on Imports by Sea	..	..	12,08,611		
Ditto .. ditto .. on Exports by Sea	..	..	2,14,314		
					14,22,925
Excess in the Revenue of External Commerce of 1828-29				S. Rs.	52,543

399. Before closing our Report on the External Commerce of Bengal, we submit here a retrospect of the last ten years, drawing a comparison between the five years last past, or the years 1824-25 to 1828-29, and the five years antecedent to that period, or the years 1819-20 to 1823-24, the aggregate result of which is a decrease in the trade by sicca rupees 6,41,29,143, comprehended in Imports sicca rupees 4,56,89,720, and on Exports, sicca rupees 1,84,39,423, the illustration of which exhibit is comprised in the following Abstract:

COMPARATIVE VIEW of Ten Years Trade, that is, the Trade of the Years 1819-20 to 1823-24, compared with that of the Years 1824-25 to 1828-29.

	IMPORTS.				EXPORTS.			
	1819-20 to 1823-24.	1824-25 to 1828-29.	Increase.	Decrease.	1819-20 to 1823-24.	1824-25 to 1828-29.	Increase.	Decrease.
Europe ..	10,88,05,442	9,51,26,089	—	1,36,79,353	14,03,09,180	15,53,51,222	1,50,42,042	—
Asia ..	7,79,22,304	7,39,71,996	—	39,50,308	14,28,14,076	10,69,96,229	—	3,58,17,84
Africa ..	43,82,234	19,29,806	—	24,52,428	86,39,258	71,35,787	—	15,03,47
America ..	4,55,89,775	1,99,82,144	—	2,56,07,631	2,30,00,202	1,17,98,013	—	1,12,02,18
	23,66,99,755	19,10,10,035	—	4,56,89,720	31,47,62,716	28,12,81,251	1,50,42,042	3,34,81,46

400. Reducing the above so as to show the progress or decline of each particular trade, we subjoin the following Statement:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

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	I M P O R T S.				E X P O R T S.			
	1819-20 to 1823-24.	1824-25 to 1828-29.	Increase.	Decrease.	1819-20 to 1823-24.	1824-25 to 1828-29.	Increase.	Decrease.
United Kingdom ..	8,98,91,490	8,50,20,332	—	48,71,158	12,46,38,348	14,32,58,915	1,86,20,567	—
France ..	80,02,666	82,63,759	2,61,093	—	63,73,944	94,60,343	30,86,399	—
Hamburgh ..	—	6,31,752	6,31,752	—	—	—	—	—
Denmark ..	3,96,742	73,540	—	3,23,202	8,29,925	1,60,624	—	6,69,301
Sweden ..	—	2,34,809	2,34,809	—	—	5,00,776	5,00,776	—
Portugal ..	30,22,968	8,10,079	—	75,12,889	6,22,00,987	16,11,279	—	46,09,708
Holland ..	26,323	—	—	26,323	1,04,320	—	—	1,04,320
Gibraltar and Malta ..	25,65,253	91,818	—	24,73,435	21,41,656	3,59,285	—	17,82,371
America ..	1,96,75,437	1,11,64,088	—	85,11,349	1,47,02,952	88,58,003	—	58,44,950
Brazils ..	45,81,614	23,50,018	—	22,31,596	26,55,055	19,43,614	—	7,11,441
South America ..	1,13,32,724	64,68,038	—	48,64,686	56,42,195	9,96,397	—	46,45,798
Coast of Coromandel ..	44,53,894	1,06,73,583	62,19,689	—	1,59,25,977	78,09,054	—	81,16,923
Ditto of Malabar ..	70,51,057	41,74,478	—	28,76,579	1,63,67,046	82,66,448	—	81,00,598
Ditto of Sumatra ..	27,98,681	11,73,196	—	16,25,485	24,18,711	5,04,895	—	19,13,816
Ceylon ..	5,01,770	9,71,314	4,69,544	—	6,85,182	3,06,423	—	3,78,760
New South Wales ..	2,75,821	5,13,767	2,37,946	—	13,46,792	4,59,621	—	8,87,171
Arabian and Persian Gulfs..	20,51,12,131	81,34,826	—	1,23,77,305	2,03,43,019	1,21,01,178	—	82,41,841
Penang and Eastward ..	73,04,503	57,19,128	—	15,85,375	1,31,02,769	92,52,893	—	38,49,876
Java ..	82,10,977	43,09,575	—	39,01,402	1,24,45,718	32,07,662	—	92,38,056
Manilla ..	32,92,869	6,55,370	—	26,37,499	18,89,326	9,53,592	—	9,35,634
China ..	3,08,09,044	2,52,66,619	—	55,42,425	5,68,59,712	5,87,53,668	18,94,156	—
Pegue ..	16,64,018	1,17,81,438	1,01,17,420	—	11,92,211	51,86,623	39,94,412	—
Maldiv Islands ..	6,47,539	5,98,702	—	48,837	2,37,613	1,93,873	—	43,740
Mauritius ..	37,96,307	15,29,549	—	22,66,758	58,10,447	61,95,160	3,84,713	—
Cape of Good Hope ..	5,20,322	4,00,257	—	1,20,065	28,12,560	9,40,627	—	18,71,933
Mosambique ..	65,605	—	—	65,605	16,251	—	—	16,251
	23,66,99,755	19,10,10,035	1,81,72,253	6,38,61,973	31,47,62,716	28,12,81,251	2,84,81,023	6,19,62,488

The details of the above statements are included in the Tables that follow :

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## ABSTRACT

IMPORTS :	TOTAL.			EUROPE.		
	Merchandize.	Treasure.	TOTAL.	Merchandize.	Treasure.	TOTAL.
1819-20 .. ..	1,75,21,977	4,10,84,670	5,86,06,647	93,84,460	1,98,24,528	2,92,08,988
1820-21 .. ..	2,24,45,163	2,40,71,335	4,65,16,498	1,22,46,405	69,20,828	1,91,67,233
1821-22 .. ..	2,59,03,599	2,21,49,437	4,80,53,036	1,59,77,478	53,43,450	2,13,20,928
1822-23 .. ..	2,68,66,535	1,72,89,382	4,41,55,917	1,90,98,745	35,65,876	2,26,64,621
1823-24 .. ..	2,61,98,443	1,31,69,214	3,93,67,657	1,63,19,640	5,24,032	1,68,43,672
Total of Five Years ..	11,89,35,717	11,77,64,038	23,66,99,755	7,30,26,728	3,57,78,714	10,88,05,442
1824-25 .. ..	2,86,55,916	1,21,42,271	4,07,98,187	1,87,28,012	4,65,982	1,91,93,994
1825-26 .. ..	2,14,98,729	1,50,58,005	3,65,56,734	1,37,10,726	5,97,232	1,43,07,958
1826-27 .. ..	2,17,60,679	1,26,00,159	3,43,60,832	1,39,75,920	8,28,877	1,48,04,797
1827-28 .. ..	2,79,97,567	1,42,01,609	4,21,99,176	2,06,16,198	11,13,091	2,17,29,289
1828-29 .. ..	3,01,92,732	69,02,374	3,70,95,106	2,43,48,134	7,41,917	2,50,90,051
Total of Five Years ..	13,01,05,623	6,09,04,412	19,10,10,035	9,13,78,990	37,47,099	9,51,26,089
Increase ..	1,83,52,262	89,087	—	1,83,52,262	—	—
Decrease ..	71,82,356	5,69,48,713	4,56,89,720	—	3,20,31,615	1,36,79,353
EXPORTS :						
1819-20 .. ..	5,43,31,305	66,47,505	6,09,78,810	2,57,98,005	—	2,57,98,005
1820-21 .. ..	5,68,03,248	12,29,363	5,80,32,611	2,46,66,838	4,106	2,46,70,944
1821-22 .. ..	5,35,53,123	1,23,96,395	6,59,49,518	2,14,33,207	1,10,13,500	3,24,46,707
1822-23 .. ..	6,18,51,480	51,51,966	6,70,03,446	2,97,68,249	8,460	2,97,73,709
1823-24 .. ..	5,05,45,292	1,22,53,039	6,27,98,331	2,32,05,475	44,14,340	2,76,19,815
Total of Five Years ..	27,70,84,448	3,76,78,268	31,47,62,716	12,48,71,774	1,54,37,406	14,03,09,180
1824-25 .. ..	5,26,16,355	34,91,676	5,61,08,031	2,83,35,532	2,69,466	2,86,04,998
1825-26 .. ..	5,66,39,922	1,38,704	5,67,78,626	3,24,26,116	1,005	3,24,27,121
1826-27 .. ..	5,12,26,319	11,15,032	5,23,41,351	2,66,88,176	3,78,032	2,70,66,208
1827-28 .. ..	5,95,27,104	44,80,987	6,40,08,091	3,33,91,927	41,79,199	3,75,71,126
1828-29 .. ..	5,02,81,959	17,63,193	5,20,45,152	2,84,40,326	12,41,443	2,96,81,769
Total of Five Years ..	27,02,91,659	1,09,89,592	28,12,81,251	14,92,82,077	60,69,145	15,53,51,222
Increase ..	2,44,10,303	12,24,528	1,50,42,042	2,44,10,303	—	1,50,42,042
Decrease ..	3,12,03,092	2,79,13,204	4,86,23,507	—	93,68,261	—

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 791

## ABSTRACT.

ASIA.			AFRICA.			AMERICA.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
66,31,282	1,38,01,162	2,04,32,444	4,85,713	2,97,767	7,83,480	10,20,522	71,61,213	81,81,735
81,83,280	1,18,92,019	2,00,75,299	8,53,076	5,00,661	13,53,737	11,62,402	47,57,827	59,20,229
79,23,917	93,74,688	1,72,98,605	7,01,437	1,20,871	8,22,308	13,00,767	73,10,428	86,11,195
61,82,403	77,01,395	1,38,83,798	7,83,906	82,439	8,66,345	8,01,481	59,39,672	67,41,153
80,40,242	77,91,916	1,58,32,158	5,48,157	8,207	5,56,364	12,90,404	48,45,059	61,35,463
3,69,61,124	4,09,61,180	7,79,22,304	33,72,289	10,09,945	43,82,234	55,75,576	4,00,14,199	4,55,89,775
82,62,072	66,57,526	1,49,19,598	2,62,827	35,859	2,98,686	14,03,005	49,82,904	63,85,909
66,85,528	1,04,59,287	1,71,44,815	2,98,830	1,18,340	4,17,170	8,03,645	38,83,146	46,86,791
66,80,615	93,24,442	1,60,05,057	6,01,592	73,791	6,75,383	5,02,552	23,73,043	28,75,595
63,18,007	1,02,38,301	1,65,56,308	3,65,846	33,750	3,99,596	6,97,516	28,16,467	35,13,983
49,75,507	43,70,711	93,46,218	1,27,859	11,112	1,38,971	7,41,232	17,78,634	25,19,866
3,29,21,729	4,10,50,267	7,39,71,996	16,56,954	2,72,852	19,29,806	41,47,950	1,58,34,194	1,99,82,144
—	89,087	—	—	—	—	—	—	—
40,39,395	—	39,50,308	17,15,335	7,37,093	24,52,428	14,27,626	2,41,80,005	2,56,07,631
2,08,65,368	64,39,878	2,73,05,246	12,95,240	2,07,627	15,02,867	63,72,692	—	63,72,692
2,65,08,286	8,86,850	2,73,95,136	11,00,115	3,38,407	14,38,522	45,28,009	—	45,28,009
2,49,11,273	10,07,985	2,59,19,258	17,45,114	3,25,410	20,70,524	54,63,529	49,500	55,13,029
2,65,70,891	51,46,506	3,17,17,397	19,59,780	—	19,59,780	35,52,560	—	35,52,560
2,27,85,875	76,91,164	3,04,77,039	15,20,030	1,47,535	16,67,565	30,33,912	—	30,33,912
12,16,41,693	2,11,72,383	14,28,14,076	76,20,279	10,18,979	86,39,258	2,29,50,702	49,500	2,30,00,202
2,02,45,789	19,72,229	2,22,18,018	6,13,493	12,49,981	18,63,474	34,21,541	—	34,21,541
2,05,90,651	74,423	2,06,65,074	7,44,620	59,276	8,03,896	28,78,535	4,000	28,82,535
2,27,37,066	2,30,000	2,29,76,066	7,02,214	4,98,000	12,00,214	10,98,863	—	10,98,863
2,26,87,795	85,038	2,27,72,833	13,22,166	2,16,750	15,38,916	21,25,216	—	21,25,216
1,80,61,988	3,02,250	1,83,64,238	15,09,787	2,10,500	17,29,287	22,69,858	—	22,69,858
10,43,23,289	26,72,940	10,69,96,229	48,92,280	22,43,507	71,35,787	1,17,94,013	4,000	1,17,98,013
—	—	—	—	12,24,528	—	—	—	—
1,73,18,404	1,84,99,443	3,58,17,847	27,27,999	—	15,03,471	1,11,56,689	45,500	1,12,02,189

## 792 THIRD APPENDIX TO THE THIRD REPORT OF THE

## COMPARATIVE ABSTRACT STATEMENT of IMPORTS and

## IMPORTS.

IMPORTS:					1819-20.			1820-21.		
					Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
United Kingdom .. .. .	86,33,573	1,51,55,480	2,40,89,053	1,13,20,797	30,14,421	1,43,35,218				
France .. .. .	3,34,245	10,31,292	13,65,537	2,33,183	10,42,070	12,75,253				
Hamburgh .. .. .	—	—	—	—	—	—				
Denmark .. .. .	93,994	1,11,105	2,05,099	62,740	56,250	1,18,990				
Sweden .. .. .	—	—	—	—	—	—				
Portugal .. .. .	48,601	17,18,618	17,67,219	2,60,984	24,89,516	27,50,500				
Holland .. .. .	26,323	—	26,323	—	—	—				
Gibraltar and Malta .. .. .	2,47,724	15,08,033	17,55,757	3,68,701	3,18,571	6,87,272				
America .. .. .	1,32,278	45,96,510	47,28,788	1,59,655	27,28,519	28,88,174				
Brazil .. .. .	8,774	11,77,192	11,85,966	38,597	13,54,560	13,93,157				
South America .. .. .	8,79,470	13,87,511	22,66,981	9,64,150	6,74,748	16,38,898				
Coast of Coromandel .. .. .	8,12,959	1,15,570	9,28,529	6,76,116	2,15,240	8,91,356				
Coast of Malabar .. .. .	12,20,528	3,23,075	15,43,603	11,06,395	2,38,854	13,45,249				
Coast of Sumatra .. .. .	2,55,272	6,30,212	8,85,484	1,78,706	3,76,972	5,55,678				
Ceylon .. .. .	69,324	18,000	87,324	1,59,355	—	1,59,355				
New South Wales .. .. .	9,685	11,250	20,935	61,391	5,625	67,016				
Arabian and Persian Gulfs .. .. .	11,82,024	40,21,928	52,03,952	12,09,273	42,00,689	54,09,962				
Penang and Eastward .. .. .	3,72,683	9,70,436	13,43,119	9,21,560	5,70,117	14,91,677				
Java .. .. .	3,09,476	19,09,033	22,18,509	4,41,501	4,78,792	9,20,293				
Manilla .. .. .	63,945	6,65,957	7,29,902	62,190	12,43,611	13,05,801				
China .. .. .	20,53,882	50,75,144	71,29,026	30,47,431	45,38,564	75,85,995				
Pegue .. .. .	1,78,124	60,557	2,38,681	2,20,993	23,555	2,44,548				
Maldivé Islands .. .. .	1,03,380	—	1,03,380	98,369	—	98,369				
Mauritius .. .. .	4,44,059	2,28,237	6,72,296	8,32,200	3,58,911	11,91,111				
Cape of Good Hope .. .. .	35,340	44,233	79,573	20,876	1,41,750	1,62,626				
Mozambique .. .. .	6,314	25,297	31,611	—	—	—				
	1,75,21,977	4,10,84,670	5,86,06,647	2,24,45,163	2,40,71,335	4,65,16,498				

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 793

Exports to and from Calcutta, by Sea, from the Year 1819-1820 to 1828-1829.

## IMPORTS.

1821-22.			1822-23.			1823-24.			TOTAL OF FIVE YEARS.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
1,51,63,826	16,47,458	1,68,11,284	1,80,98,611	1,70,758	1,82,69,369	1,58,62,534	5,24,032	1,63,86,566	6,90,79,341	2,08,12,149	8,98,91,490
7,42,561	23,52,763	30,95,324	7,20,248	12,28,744	19,48,992	3,17,560	—	3,17,560	23,47,797	56,54,869	80,02,666
—	—	—	—	—	—	—	—	—	—	—	—
7,636	—	7,636	22,945	24,750	47,695	17,322	—	17,322	2,04,637	1,92,105	3,96,742
—	—	—	—	—	—	—	—	—	—	—	—
63,455	13,43,229	14,06,684	2,56,941	21,41,624	23,98,565	—	—	—	6,29,981	76,92,987	83,22,968
—	—	—	—	—	—	—	—	—	26,323	—	26,323
—	—	—	—	—	—	1,22,224	—	1,22,224	7,38,649	18,26,604	25,65,253
2,90,477	50,51,178	53,41,655	2,43,013	50,07,652	52,50,665	1,13,824	13,52,331	14,66,155	9,39,247	1,87,36,190	1,96,75,437
72,842	4,19,283	4,92,125	50,197	3,57,743	4,07,940	78,271	10,24,155	11,02,426	2,48,681	43,32,933	45,81,614
9,37,448	18,39,967	27,77,415	5,08,271	5,74,277	10,82,548	10,98,309	24,68,573	35,66,882	43,87,648	60,45,076	1,13,32,724
8,87,222	—	8,87,222	7,14,170	46,480	7,60,650	9,34,091	52,047	9,86,138	40,24,557	4,29,337	44,53,894
15,51,205	6,94,901	22,46,106	4,76,835	1,74,450	6,51,285	11,43,067	1,21,747	12,64,814	54,98,030	15,53,027	70,51,057
1,23,872	1,85,164	3,09,036	2,05,387	1,41,364	3,46,751	523,145	1,78,587	7,01,732	12,86,382	15,12,299	27,98,681
48,485	—	48,485	1,14,856	—	1,14,856	91,750	—	91,750	4,83,770	18,000	5,01,770
6,617	—	6,617	38,113	97,504	1,35,617	32,136	13,500	45,636	1,47,942	1,27,879	2,75,821
11,62,152	24,63,026	36,25,178	16,48,853	22,05,865	38,54,718	13,05,497	11,12,824	24,18,321	65,07,799	1,40,04,332	2,05,12,131
4,88,776	9,94,976	14,83,752	6,46,334	7,17,139	13,63,473	10,20,156	6,02,326	16,22,482	34,49,509	38,54,994	73,04,503
6,46,294	9,50,770	15,97,064	5,55,691	13,29,772	18,85,463	9,37,620	6,52,028	15,89,648	28,90,582	53,20,395	82,10,977
82,460	1,52,570	2,35,030	44,187	3,69,775	4,13,962	22,064	5,86,110	6,08,174	2,74,846	30,18,023	32,92,869
22,88,959	39,33,281	62,22,240	12,03,310	26,19,046	38,49,356	15,84,680	44,37,747	60,22,427	1,02,05,262	2,06,03,782	3,08,09,044
4,54,403	—	4,54,403	3,58,624	—	3,58,624	3,32,762	35,000	3,67,762	15,44,906	1,19,112	16,64,018
1,83,473	—	1,83,473	1,49,043	—	1,49,043	1,13,274	—	1,13,274	6,47,539	—	6,47,539
6,47,448	1,03,900	7,51,348	6,93,572	79,439	7,73,011	4,00,334	8,207	4,08,541	30,17,613	7,78,694	37,96,307
34,066	13,220	47,286	80,014	3,000	86,014	1,47,823	—	1,47,823	3,18,119	2,02,203	5,20,322
19,923	3,751	23,674	10,320	—	10,320	—	—	—	36,547	29,048	65,605
59,03,599	2,21,49,437	4,80,53,036	2,68,66,535	1,72,89,382	4,41,55,917	2,61,98,443	1,31,69,214	3,93,67,657	11,89,35,717	11,77,64,038	23,66,99,755

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# 794 THIRD APPENDIX TO THE THIRD REPORT OF THE

Comparative Abstract of Imports and Exports—continued.

## IMPORTS—continued.

1824-25.			1825-26.			1826-27.			1827-28.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
1,76,07,786	13,250	1,76,21,036	1,28,68,606	1,56,978	1,30,25,584	1,28,68,348	20,180	1,28,78,528	1,89,91,766	73,620	1,90,65,376
9,84,663	1,70,532	11,55,195	7,66,985	4,37,914	12,04,899	7,56,177	6,30,772	13,86,949	13,83,920	9,28,546	23,12,466
—	—	—	—	—	—	1,84,608	—	1,84,608	73,912	—	73,912
50,540	23,000	73,540	—	—	—	—	—	—	—	—	—
10,138	—	10,138	32,863	—	32,863	29,555	—	29,555	79,492	—	79,492
74,885	2,59,200	3,34,085	42,272	2,340	44,612	55,414	1,77,925	2,33,339	87,118	1,10,925	1,98,041
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	91,818	—	91,818	—	—	—
3,07,675	18,02,632	21,10,307	3,74,661	33,18,210	36,92,871	1,99,345	9,64,640	11,63,985	4,54,612	17,21,217	21,75,829
52,756	8,70,535	9,23,291	140	1,64,625	1,64,765	2,561	1,03,825	1,06,386	80,576	10,75,000	11,55,576
10,44,574	23,09,737	33,54,311	4,28,844	4,00,311	8,29,155	3,00,646	13,04,578	16,05,224	1,62,328	20,250	1,82,578
9,28,741	24,68,902	33,97,643	8,16,293	44,88,580	53,04,873	8,86,727	71,400	9,57,127	4,20,933	61,877	4,82,810
10,27,324	2,71,120	12,98,444	4,92,634	1,59,453	6,52,087	7,50,080	2,40,425	9,90,505	4,34,651	150	4,34,801
2,32,726	33,098	2,65,824	2,64,113	2,36,719	5,00,832	1,55,419	—	1,55,419	2,16,160	34,961	2,51,121
3,39,215	10,000	3,49,215	2,12,141	—	2,12,141	1,57,475	—	1,57,475	2,19,313	—	2,19,313
11,953	—	11,953	78,461	9,175	87,636	12,235	82,305	94,540	2,25,467	69,083	2,94,550
12,56,512	5,63,371	18,19,883	12,48,552	10,04,786	22,53,338	6,98,673	4,57,603	11,56,276	12,66,807	8,60,241	21,27,048
14,49,474	4,49,590	18,99,064	4,77,500	1,43,048	6,20,548	6,13,836	4,02,117	10,15,953	3,65,980	1,68,823	5,34,803
6,78,049	48,245	7,26,294	7,25,351	2,08,972	9,34,323	9,84,890	5,30,414	15,15,304	5,06,371	4,86,338	9,92,709
1,66,346	2,24,125	4,20,471	75,844	1,220	77,064	22,162	49,928	72,090	39,486	14,549	54,035
15,82,165	24,09,011	39,91,176	19,33,107	41,54,801	60,87,908	19,01,720	16,53,292	35,55,012	21,70,668	64,18,027	85,88,695
3,91,481	1,80,064	5,71,545	2,04,153	52,533	2,56,686	4,15,813	58,36,958	62,52,771	3,50,893	21,24,252	24,75,145
1,68,086	—	1,68,086	1,57,379	—	1,57,379	82,585	—	82,585	1,01,278	—	1,01,278
1,19,075	35,869	1,54,944	1,92,562	1,18,340	3,10,902	4,93,389	72,791	5,66,180	3,41,985	33,750	3,75,735
1,43,752	—	1,43,752	1,06,268	—	1,06,268	1,08,203	1,000	1,09,203	23,861	—	23,861
—	—	—	—	—	—	—	—	—	—	—	—
2,86,55,916	1,21,42,271	4,07,98,187	2,14,98,729	1,50,58,005	3,65,56,734	2,17,60,679	1,26,00,153	3,43,60,832	2,79,97,567	1,42,01,609	4,21,99,176

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# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 793

Comparative Abstract of Imports and Exports—continued.

## IMPORTS—continued.

1828.29.			TOTAL OF FIVE YEARS.			INCREASE.	DECREASE.	IMPORTS:
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Sicca Rupees.	Sicca Rupees.	
2,21,81,707	2,48,101	2,24,29,808	8,45,08,203	5,12,129	8,50,20,332	—	48,71,158	United Kingdom . . . . .
17,10,434	4,93,816	22,04,250	56,02,179	26,61,580	82,63,759	2,61,093	—	France . . . . .
3,73,232	—	3,73,232	6,31,752	—	6,31,752	6,31,752	—	Hamburgh . . . . .
—	—	—	50,540	23,000	73,540	—	3,23,202	Denmark . . . . .
82,761	—	82,761	2,34,809	—	2,34,809	2,34,809	—	Sweden . . . . .
—	—	—	2,59,689	5,50,390	8,10,079	—	75,12,889	Portugal . . . . .
—	—	—	—	—	—	—	26,323	Holland . . . . .
—	—	—	91,818	—	91,818	—	24,73,435	Gibraltar and Malta . . . . .
4,53,107	15,67,989	20,21,096	17,89,400	93,74,688	1,11,64,088	—	85,11,349	America . . . . .
—	—	—	1,36,033	22,13,985	23,50,018	—	22,31,596	Brazil . . . . .
2,88,125	2,10,645	4,98,770	22,22,517	42,45,521	64,68,038	—	48,64,686	South America . . . . .
3,99,569	1,31,561	5,31,130	34,51,263	72,22,320	1,06,73,583	62,19,689	—	Coast of Coromandel . . . . .
5,86,354	2,12,287	7,98,641	32,91,043	8,83,435	41,74,478	—	28,76,579	Coast of Malabar . . . . .
—	—	—	8,08,418	3,04,778	11,73,196	—	16,25,485	Coast of Sumatra . . . . .
33,170	—	33,170	9,61,314	10,000	9,71,314	4,69,544	—	Ceylon . . . . .
25,088	—	25,088	3,53,204	1,60,563	5,13,767	2,37,946	—	New South Wales . . . . .
4,93,981	2,84,300	7,78,281	49,64,525	31,70,301	81,34,826	—	1,23,77,305	Arabian and Persian Gulfs . . . . .
11,55,227	4,93,533	16,48,760	40,62,017	16,57,111	57,19,128	—	15,85,375	Penang and Eastward . . . . .
1,25,117	15,828	1,40,945	30,19,778	12,89,797	43,09,575	—	39,01,402	Java . . . . .
6,960	24,750	31,710	3,40,798	3,14,572	6,55,370	—	26,37,499	Manilla . . . . .
16,63,521	13,80,307	30,43,828	92,51,181	1,60,15,438	2,52,66,619	—	55,42,425	China . . . . .
3,97,146	18,28,145	22,25,291	17,59,486	1,00,21,952	1,17,81,438	1,01,17,420	—	Pegue . . . . .
89,374	—	89,374	5,98,702	—	5,98,702	—	48,837	Maldiv Islands . . . . .
1,15,298	6,500	1,21,798	12,62,309	2,67,240	15,29,549	—	22,66,758	Mauritius . . . . .
12,561	4,612	17,173	3,94,645	5,612	4,00,257	—	1,20,065	Cape of Good Hope . . . . .
—	—	—	—	—	—	—	65,605	Mosambique . . . . .
3,01,92,732	69,02,374	3,70,95,106	13,01,05,623	6,09,04,412	19,10,10,035	1,81,72,253	6,38,61,973	

(continued.)

796 THIRD APPENDIX TO THE THIRD REPORT OF THE

Comparative Abstract of Imports and Exports—continued.

EXPORTS.

EXPORTS:				1819-20.			1820-21.		
				Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
EUROPE	..	..	United Kingdom .. .. .	2,24,32,795	—	2,24,32,795	2,07,29,084	4,106	2,07,33,190
			France .. .. .	11,61,961	—	11,61,961	15,11,637	—	15,11,637
			Hamburgh .. .. .	—	—	—	—	—	—
			Denmark .. .. .	6,84,723	—	6,84,723	54,145	—	54,145
			Sweden .. .. .	—	—	—	—	—	—
			Portugal .. .. .	9,99,504	—	9,99,504	22,18,168	—	22,18,168
			Holland .. .. .	1,04,320	—	1,04,320	—	—	—
			Gibraltar and Malta .. .. .	4,14,702	—	4,14,702	1,53,804	—	1,53,804
AMERICA	..	..	America .. .. .	45,86,438	—	45,86,438	19,25,079	—	19,25,079
			Brazil .. .. .	10,60,412	—	10,60,412	6,47,928	—	6,47,928
			South America .. .. .	7,25,842	—	7,25,842	19,55,002	—	19,55,002
ASIA	..	..	Coast of Coromandel .. .. .	11,28,232	35,48,584	46,76,816	11,63,230	90,000	12,53,230
			Coast of Malabar .. .. .	41,48,874	—	41,48,874	25,25,695	—	25,25,695
			Coast of Sumatra .. .. .	5,85,465	—	5,85,465	2,66,140	—	2,66,140
			Ceylon .. .. .	1,71,437	—	1,71,437	41,612	—	41,612
			New South Wales .. .. .	5,86,778	—	5,86,778	2,12,187	—	2,12,187
			Arabian and Persian Gulfs .. .. .	50,50,985	—	50,50,985	36,71,131	—	36,71,131
			Penang and Eastward .. .. .	8,86,612	2,22,588	11,09,200	23,52,718	2,86,500	26,39,218
			Java .. .. .	25,18,604	—	25,18,604	30,84,782	2,14,200	32,98,982
			Manilla .. .. .	2,80,298	—	2,80,298	3,44,461	—	3,44,461
			China .. .. .	54,27,736	26,65,331	80,93,067	1,27,30,376	2,96,150	1,30,26,526
			Pegue .. .. .	49,785	3,375	53,160	95,443	—	95,443
			Maldiv Islands .. .. .	30,562	—	30,562	20,511	—	20,511
AFRICA	..	..	Mauritius .. .. .	7,55,809	2,07,627	9,63,436	7,47,500	3,38,407	10,85,907
			Cape of Good Hope .. .. .	5,25,560	—	5,25,560	3,52,615	—	3,52,615
			Mosambique .. .. .	13,871	—	13,871	—	—	—
				5,43,31,305	66,47,505	6,09,78,810	5,68,03,248	12,29,363	5,80,32,611

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 797

Comparative Abstract of Imports and Exports—continued.

## EXPORTS.

1821-22.			1822-23.			1823-24.			TOTAL OF FIVE YEARS.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
1,89,68,752	1,10,13,500	2,99,82,252	2,42,29,515	5,460	2,42,34,975	2,28,40,796	44,14,340	2,72,55,136	10,92,06,942	1,54,37,406	12,46,38,348
12,21,417	—	12,21,417	21,78,423	—	21,78,423	3,00,506	—	3,00,506	63,73,944	—	63,73,944
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	91,057	—	91,057	—	—	—	8,26,925	—	8,26,925
—	—	—	—	—	—	—	—	—	—	—	—
4,58,356	—	4,58,356	25,44,959	—	25,44,959	—	—	—	62,20,987	—	62,20,987
—	—	—	—	—	—	—	—	—	1,04,320	—	1,04,320
7,84,682	—	7,84,682	7,24,295	—	7,24,295	64,173	—	64,173	21,41,656	—	21,41,656
38,53,916	49,500	39,03,416	30,63,019	—	30,63,019	12,25,000	—	12,25,000	1,46,53,452	49,500	1,47,02,952
1,45,732	—	1,45,732	2,01,226	—	2,01,226	6,00,137	—	6,00,137	26,55,055	—	26,55,055
14,64,261	—	14,64,261	2,88,315	—	2,88,315	12,08,775	—	12,08,775	56,42,195	—	56,42,195
12,35,015	—	12,35,015	9,01,704	31,29,268	40,30,972	23,83,568	23,46,376	47,29,944	68,22,749	91,14,228	1,59,25,977
18,82,161	—	18,82,161	21,01,588	20,06,753	41,08,341	13,61,140	23,40,835	37,01,975	1,20,12,458	43,47,588	1,63,60,046
5,26,291	3,51,100	8,77,291	4,45,968	—	4,45,968	2,21,347	22,500	2,43,847	20,46,211	3,73,500	24,18,711
1,14,455	—	1,14,455	1,34,571	—	1,34,571	2,23,107	—	2,23,107	6,85,182	—	6,85,182
2,56,368	—	2,56,368	2,85,474	5,985	2,91,459	—	—	—	13,40,807	5,985	13,46,792
47,40,902	—	47,40,902	34,64,404	—	34,64,404	34,15,597	—	34,15,597	2,03,43,019	—	2,03,43,019
25,20,349	3,10,750	28,31,099	28,20,908	4,500	28,25,408	29,08,094	7,89,750	36,97,844	1,14,88,681	16,14,088	1,31,02,769
20,81,562	45,000	21,26,562	27,24,487	—	27,24,487	16,89,333	87,750	17,77,083	1,20,98,768	3,46,950	1,24,45,718
8,90,105	—	8,90,105	2,62,910	—	2,62,910	1,11,552	—	1,11,552	18,89,326	—	18,89,326
1,02,05,138	3,01,235	1,05,06,373	1,30,74,663	—	1,30,74,663	1,00,55,130	21,03,953	1,21,59,083	5,14,93,043	53,66,669	5,68,59,712
3,77,811	—	3,77,811	3,02,735	—	3,02,735	3,63,062	—	3,63,062	11,88,836	3,395	11,92,211
81,116	—	81,116	51,479	—	51,479	53,945	—	53,945	2,32,613	—	2,32,613
13,06,455	3,25,410	16,31,865	10,73,843	—	10,73,843	9,07,861	1,47,535	10,55,396	47,91,468	10,18,979	58,10,447
4,38,659	—	4,38,659	8,83,557	—	8,83,557	6,12,169	—	6,12,169	28,12,560	—	28,12,560
—	—	—	2,380	—	2,380	—	—	—	16,251	—	16,251
5,35,53,123	1,23,96,395	6,59,49,518	6,18,51,480	51,51,966	6,70,03,446	5,05,45,222	1,22,53,039	6,27,98,331	27,70,84,448	3,76,78,268	31,47,62,716

Continued on next page.

# 798 THIRD APPENDIX TO THE THIRD REPORT OF THE

Comparative Abstract of Imports and Exports—continued.

## EXPORTS—continued.

1824-25.			1825-26.			1826-27.			1827-28.		
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.
2,64,61,457	2,69,468	2,67,30,923	2,98,10,895	48	2,98,10,943	2,47,45,131	3,78,032	2,51,23,163	3,04,20,280	41,65,699	3,45,85,979
12,24,445	—	12,24,445	16,09,331	—	16,09,331	15,39,656	—	15,39,656	26,86,304	13,500	26,99,804
—	—	—	—	—	—	—	—	—	—	—	—
1,38,961	—	1,38,961	21,663	—	21,663	—	—	—	—	—	—
—	—	—	1,13,528	—	1,13,528	1,21,449	—	1,21,449	91,477	—	91,477
5,10,669	—	5,10,669	5,21,299	—	5,21,299	2,73,012	—	2,73,012	1,93,866	—	1,93,866
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	3,49,400	957	3,50,357	8,928	—	8,928	—	—	—
22,89,719	—	22,89,719	26,10,785	4,000	26,14,785	6,64,318	—	6,64,318	16,87,548	—	16,87,548
4,50,271	—	4,50,271	1,14,142	—	1,14,142	3,72,912	—	3,72,912	4,37,668	—	4,37,668
6,81,551	—	6,81,551	1,53,608	—	1,53,608	61,633	—	61,633	—	—	—
18,33,201	18,77,679	37,10,880	16,76,158	—	16,76,158	8,95,823	—	8,95,823	8,74,966	—	8,74,966
13,15,876	4,500	13,20,376	17,65,723	—	17,65,723	19,77,815	—	19,77,815	14,93,262	—	14,93,262
2,22,213	—	2,22,213	33,135	9,548	42,683	1,84,386	—	1,84,386	55,613	—	55,613
41,791	—	41,791	45,736	—	45,736	1,27,680	—	1,27,680	61,929	—	61,929
—	—	—	82,411	6,625	89,036	1,56,210	—	1,56,210	1,35,540	2,250	1,37,790
27,13,344	—	27,13,344	31,47,972	—	31,47,972	21,86,501	—	21,86,501	22,53,421	1,013	22,54,434
23,81,588	—	23,81,588	13,22,340	2,000	13,24,340	10,40,556	2,000,000	12,40,556	11,38,076	—	11,38,076
6,28,506	—	6,28,506	7,47,640	—	7,47,640	8,82,194	—	8,82,194	7,75,023	—	7,75,023
5,06,934	3,375	5,10,309	2,79,834	—	2,79,834	—	—	—	1,63,549	—	1,63,549
1,00,59,322	85,650	1,01,44,972	1,01,90,582	22,500	1,02,13,082	1,38,14,821	39,000	1,38,53,821	1,46,93,342	81,775	1,47,75,117
5,03,198	1,025	5,04,223	12,80,211	33,750	13,13,961	14,44,125	—	14,44,125	9,89,152	—	9,89,152
39,816	—	39,816	18,909	—	18,909	26,955	—	26,955	56,922	—	56,922
4,68,082	12,40,981	17,09,063	4,12,332	59,276	4,71,608	5,49,089	4,95,360	10,44,389	11,49,300	2,16,750	13,66,050
1,45,411	9,000	1,54,411	3,32,288	—	3,32,288	1,53,185	2,640	1,55,825	1,72,866	—	1,72,866
—	—	—	—	—	—	—	—	—	—	—	—
5,26,16,355	34,91,076	5,61,07,431	5,66,39,922	1,38,704	5,67,78,626	5,12,26,319	11,15,032	5,23,41,351	5,95,27,104	44,80,987	6,40,08,091

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 799

Comparative Abstract of Imports and Exports—continued.

## EXPORTS—continued.

1828-29.			TOTAL OF FIVE YEARS.			INCREASE.	DECREASE.	EXPORTS:
Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	Sicca Rupees.	Sicca Rupees.	
2,57,66,464	12,41,443	2,70,07,907	13,72,04,227	60,54,688	14,32,58,915	1,86,20,567	—	United Kingdom .. .. .
23,87,107	—	23,87,107	94,46,843	13,500	94,60,343	30,86,399	—	France .. .. .
—	—	—	—	—	—	—	—	Hamburgh .. .. .
—	—	—	1,60,624	—	1,60,624	—	6,69,301	Denmark .. .. .
1,74,322	—	1,74,322	5,00,776	—	5,00,776	5,00,776	—	Sweden .. .. .
1,12,433	—	1,12,433	16,11,279	—	16,11,279	—	46,09,708	Portugal .. .. .
—	—	—	—	—	—	—	1,04,320	Holland .. .. .
—	—	—	3,58,328	957	3,59,285	—	17,82,371	Gibraltar and Malta .. .. .
16,01,632	—	16,01,632	88,54,002	4,000	88,58,002	—	58,44,950	America .. .. .
5,68,621	—	5,68,621	19,43,614	—	19,43,614	—	7,11,441	Brazil .. .. .
99,605	—	99,605	9,96,397	—	9,96,397	—	46,45,798	South America .. .. .
6,51,227	—	6,51,227	59,31,375	18,77,679	78,09,054	—	81,16,923	Coast of Coromandel .. .. .
17,09,272	—	17,09,272	82,61,948	4,500	82,66,448	—	81,00,598	Coast of Malabar .. .. .
—	—	—	4,95,347	9,548	5,04,895	—	19,13,816	Coast of Sumatra .. .. .
29,286	—	29,286	3,06,422	—	3,06,422	—	3,78,760	Ceylon .. .. .
76,585	—	76,585	4,50,746	8,875	4,59,621	—	8,87,171	New South Wales .. .. .
17,98,927	—	17,98,927	1,21,00,165	1,013	1,21,01,178	—	82,41,841	Arabian and Persian Gulfs .. .. .
28,66,083	3,02,250	31,68,333	87,48,643	5,04,250	92,52,893	—	38,49,876	Penang and Eastward .. .. .
1,74,299	—	1,74,299	32,07,662	—	32,07,662	—	92,38,056	Java .. .. .
—	—	—	9,50,317	3,375	9,53,692	—	9,35,634	Manilla .. .. .
97,69,876	—	97,69,876	5,85,24,943	2,28,925	5,87,53,868	18,94,156	—	China .. .. .
9,35,162	—	9,35,162	51,51,848	34,775	51,86,623	30,94,412	—	Pegue .. .. .
51,271	—	51,271	1,93,873	—	1,93,873	—	43,740	Maldiv Islands .. .. .
13,84,550	2,19,500	16,04,050	39,63,293	22,31,867	61,95,160	3,84,713	—	Mauritius .. .. .
1,25,237	—	1,25,237	9,28,987	11,640	9,40,627	—	18,71,933	Cape of Good Hope .. .. .
—	—	—	—	—	—	—	16,251	Mosambique .. .. .
5,02,81,959	17,63,193	5,20,45,152	27,02,91,659	1,09,89,592	28,12,81,251	2,84,81,023	6,19,62,488	

EUROPE.

AMERICA.

ASIA.

AFRICA.

(1.)  
**Bengal.**

**General  
Observations.  
Internal Trade.**

402. Of the above amount, Importations involved sicca rupees 5,33,29,946; and Exports sicca rupees 1,40,82,817. The comparison with the year 1827-28 being a decrease of the former of sicca rupees 6,60,288, and of the latter sicca rupees 25,57,536.

403. The transactions with the Honourable Company's possessions, in the year under consideration, were to the value of sicca rupees 6,54,97,881, contained in Imports, sicca rupees 5,18,40,909; and in Exports, sicca rupees 1,36,56,972; comprehending the value of the Honourable Company's investments in Imports, sicca rupees 2,31,81,313; and the private trade, in Imports, sicca rupees 2,86,59,596; and Exports, sicca rupees 1,36,56,972. With the Nawab Vizier's dominions our intercourse has been, in Imports, sicca rupees 9,96,992; and in Exports, sicca rupees 4,13,928. With the Mahratta States, on Imports, sicca rupees 1,80,091; with Cashmere, sicca rupees 2,78,332 in Imports; with Nepal and Bootan, in Imports, sicca rupees 8,511; and in Exports, sicca rupees 10,678; and with Assam, in Imports, is sicca rupees 25,111; and in Exports, sicca rupees 1,239. These particulars are represented in the following Statement.

[illegible]

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 801

404. The fluctuations of the year, comparing the results with the value of the operations of the year 1827-28, are as follows :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations  
Internal Trade.

	IMPORTS.		EXPORTS.	
	Increase.	Decrease.	Increase.	Decrease.
Honourable Company's Trade ..	13,22,713	—	—	—
Private Trade .. .. .	—	20,15,398	—	23,46,294
Hon. Company's Dominions ..	13,22,713	20,15,398	—	23,46,294
Nabob Vizier's Dominions ..	36,633	—	—	1,91,964
Mahratta Provinces .. ..	—	1,30,455	—	—
Cashmere .. .. .	1,22,515	—	—	—
Nepaul and Bootan .. ..	—	8,323	—	4,347
Assam .. .. .	12,007	—	—	14,931
TOTAL .. .. S. Rs.	14,93,888	21,54,176	—	25,57,536
Deduct Increase .. ..		14,93,888	—	—
		6,60,288	—	25,57,536
		Add .. ..		6,60,288
		Net Decrease in 1828-29 .. ..		32,17,824

405. The details of the fluctuations are exhibited in the following Statement of the Imports and Exports of the year under review, with the results compared with the operations of the previous year, the balance of which will be found to be a decrease of sicca rupees 32,17,824 in the year 1828-29, as already stated.



EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
Internal Trade.

ABSTRACT STATEMENT OF IMPORTS AND EXPORTS by Land.

			1827-28.		1828-29.		INCREASE.		DECREASE.	
			Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Cotton Piece Goods	..	pieces	18,72,318	44,14,731	16,98,803	36,97,362	—	—	1,73,515	7,17,369
Silk .. ditto	..	—	4,54,828	26,26,131	4,56,714	23,40,193	1,886	—	—	2,85,938
Embroidered ditto	..	—	1,679	23,644	853	13,748	—	—	826	9,896
Shawls ..	..	—	3,994	1,55,817	2,283	2,78,332	—	1,22,515	1,711	—
Indigo ..	..	maunds	1,51,699	1,51,69,900	98,009	98,00,900	—	—	53,690	53,69,000
Sugar ..	..	—	2,70,032	21,37,972	5,32,232	43,15,256	2,62,200	21,77,284	—	—
Silk ..	..	—	17,284	77,82,210	24,582	1,01,24,577	7,298	23,42,367	—	—
Grain, of sorts	..	..	7,62,800	10,21,687	7,88,711	8,75,310	25,911	—	—	1,46,377
Cotton ..	..	maunds	3,21,041	37,41,040	3,00,056	36,33,813	—	—	20,985	1,07,227
Cotton Thread	..	—	786	15,224	355	5,498	—	—	431	9,726
Jaggree ..	..	—	1,59,225	3,18,347	3,06,062	6,11,682	1,46,837	2,93,335	—	—
Sugar-candy	..	—	4,574	54,996	9,006	1,22,061	4,432	67,065	—	—
Saltpetre	..	—	3,35,854	13,14,830	3,86,233	15,90,883	50,379	2,76,053	—	—
Seeds, of sorts	..	—	21,169	57,650	28,164	84,511	6,995	26,861	—	—
Oil Seeds	..	—	2,65,237	5,96,208	5,19,614	10,42,107	2,54,377	4,45,899	—	—
Gunnies and Gunny Bags	..	pieces	50,31,133	3,26,736	50,16,114	3,18,211	—	—	15,019	8,535
Shell Lac	..	maunds	10,717	2,01,344	13,571	2,11,670	2,854	10,326	—	—
Stick Lac	..	—	3,377	23,696	1,840	15,666	—	—	1,537	8,030
Tinical and Borax	..	—	2,161	41,433	2,532	45,557	371	4,124	—	—
Safflower	..	—	5,043	1,25,378	4,029	1,10,878	—	—	1,014	14,500
Ghee ..	..	..	31,019	5,41,443	23,982	4,29,898	—	—	7,037	111,545
Oil ..	..	maunds	11,063	80,201	18,809	1,53,546	7,746	73,345	—	—



EXTERNAL  
AND INTERNAL  
COMMERCE.(1.)  
Bengal.General  
Observations.  
Internal Trade.

	1827-28.		1828-29.		INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Exports:								
Cotton Piece Goods ..	34,873	60,304	49,551	1,20,337	14,677	60,033	—	—
Silk .. ditto ..	1,212	2,968	1,036	5,970	—	3,002	176	—
Wax and Wax Candles	170	9,052	194	10,949	24	1,897	—	—
Country Sundries ..	—	1,27,308	—	1,09,267	—	—	—	18,041
Foreign Piece Goods ..	—	29,61,772	—	23,58,377	—	—	—	6,03,395
Liquors .. ..	—	4,11,423	—	3,13,110	—	—	—	98,313
Copper .. ..	37,301	25,94,508	41,771	15,11,022	4,470	—	—	10,83,486
Brass-ware .. ..	—	—	—	—	—	—	—	—
Tutenague .. ..	46	882	—	—	—	—	46	882
Lead .. ..	18,449	2,29,381	21,912	2,00,952	3,463	—	—	28,429
Tin .. ..	8,256	2,17,564	15,391	3,88,447	7,135	1,70,883	—	—
Iron .. ..	71,793	3,27,060	90,908	3,91,406	19,115	64,346	—	—
Steel .. ..	774	5,998	643	5,303	—	—	131	695
Quicksilver .. ..	—	27,285	—	54,590	—	27,305	—	—
Cloves .. ..	3,636	2,16,764	2,785	1,26,456	—	—	851	90,308

[illegible]

406. The articles imported from and exported to the divisions of our Internal Commerce, are represented in the following Tables, always bearing in mind that Treasure, Rice, Lac Dye, with other Goods not subject to duty, and therefore allowed free transit, are not included in the Statement.

**EXTERNAL  
AND INTERNAL  
COMMERCE.**

(1.)  
**Bengal.**

**General  
Observations.  
Internal Trade.**

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
Internal Trade.

Imports and Exports, by Land, of the Honourable Company's Dominions.

		1827-28.		1828-29.		INCREASE.		DECREASE.	
		Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Imports:	Cotton Piece Goods .. pieces	16,39,417	34,59,259	14,56,306	27,95,493	—	—	1,83,111	7,33,766
	Silk .. ditto ..	4,54,828	26,26,131	4,56,685	23,40,172	1,857	—	—	2,85,959
	Embroidered ditto ..	1,679	23,644	848	13,728	—	—	831	9,916
	Indigo .. .. maunds	1,51,699	1,51,69,900	98,009	98,00,900	—	—	53,690	53,69,000
	Sugar .. ..	2,70,032	21,37,972	5,32,232	43,15,256	2,62,200	21,77,284	—	—
	Silk .. ..	17,268	77,97,010	24,573	1,01,22,810	7,305	23,43,800	—	—
	Grain, of sorts ..	7,62,800	10,21,687	7,88,711	8,75,310	25,911	—	—	1,46,377
	Cotton .. ..	3,01,947	34,41,063	2,86,227	34,64,312	—	23,249	15,720	—
	Cotton Thread ..	786	15,224	355	5,498	—	—	431	9,726
	Jaggree .. ..	1,59,225	3,18,347	3,06,062	6,11,682	1,46,837	2,93,335	—	—
	Sugar-candy ..	4,574	54,996	9,006	1,22,061	4,432	67,065	—	—
	Saltpetre .. ..	3,35,497	13,13,165	3,75,897	15,58,140	40,400	2,44,975	—	—
	Seeds, of sorts ..	21,052	57,072	28,034	83,879	6,982	26,807	—	—
	Oil Seeds .. ..	2,65,237	6,96,208	5,19,318	10,41,515	2,54,081	4,45,307	—	—
	Gunnies and Gunny Bags .. pieces	50,31,133	3,26,736	50,16,114	3,18,211	—	—	15,019	8,525
	Shell Lac .. .. maunds	10,307	1,93,177	12,862	2,04,766	2,555	11,589	—	—
	Stick Lac .. ..	2,181	16,515	1,687	14,748	—	—	494	1,767
	Tinical and Borax ..	2,161	41,433	2,525	45,413	364	3,980	—	—
	Safflower .. ..	5,043	1,25,378	4,029	1,10,878	—	—	1,014	14,500
	Ghee .. ..	31,019	5,41,443	33,982	4,29,898	—	—	7,037	1,11,545
	Oil .. ..	11,063	80,301	18,809	1,53,546	7,746	73,345	—	—
	Castor Oil .. ..	1,733	29,799	5,062	77,276	3,329	47,477	—	—

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 807

	1,579	7,759	1,993	13,437	414	5,678			
Wood Oil ..	—	—	—	61,583	—	244	—	—	—
Cocoa-nuts ..	—	60,339	—	2,85,186	—	32,313	—	—	—
Saul Timber ..	—	2,53,873	—	27,788	—	—	—	—	5,121
Planks ..	—	33,909	—	3,06,453	—	—	—	—	26,812
Beetle-nuts ..	—	3,33,365	79,243	2,73,022	—	—	—	—	9,838
Chusson ..	—	2,82,954	7,60,006	9,35,850	—	—	—	—	—
Tobacco ..	—	6,39,465	1,87,170	63,070	59,304	2,96,385	—	—	—
Wax and Wax Candles	—	71,133	1,343	10,467	—	—	198	—	8,063
Elephants' Teeth ..	—	13,236	105	1,33,544	—	—	31	—	9,769
Turmeric ..	—	72,601	36,232	81,034	10,581	60,943	—	—	—
Skins and Hides ..	—	75,695	—	60,589	—	5,339	—	—	—
Long Pepper and Roots	—	78,399	9,114	66,021	—	—	5,551	—	17,810
Carpets and Blankets	—	52,012	63,423	31,582	11,830	14,009	—	—	—
Dry Ginger ..	—	47,565	12,666	1,06,35,134	—	—	3,158	—	15,983
Opium ..	—	1,07,05,240	7,709	10,572	1,359	—	—	—	70,106
Soap ..	—	—	1,010	14,446	1,010	10,572	—	—	—
Gums ..	—	—	2,461	1,095	2,461	14,446	—	—	—
Munjeet ..	—	—	219	3,94,544	219	1,095	—	—	—
Sandries ..	—	4,39,789	—	5,18,49,909	—	—	—	—	45,245
		5,25,33,594	—	—	—	62,00,237	—	—	68,92,922
Deduct Increase .. ..									
Net Decrease .. .. S.Rs.									
62,00,237									
6,92,685									

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

General  
Observations.  
Internal Trade.



NABOB VIZIER'S DOMINIONS.

IMPORTS :	1897-98.			1898-99.			INCREASE.			DECREASE.		
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.		
Cotton Piece Goods .. pieces	2,28,828	9,52,332	2,36,406	9,65,502	7,578	13,170	—	—	—	—		
Embroidered ditto ..	—	—	5	20	5	20	—	—	—	—		
Saltpetre .. maunds	299	1,316	8,594	26,480	8,295	25,164	—	—	—	—		
Seeds, of sorts ..	47	278	—	—	—	—	—	—	—	—		
Shell Lac ..	19	347	69	2,676	50	2,329	—	—	47	278		
Skins and Hides ..	—	75	—	—	—	—	—	—	—	75		
Carpets and Blankets .. pieces	18	18	30	27	12	9	—	—	—	—		
Sundries ..	—	5,993	—	2,287	—	—	—	—	—	3,706		
		9,60,359	—	9,96,992	—	40,692	—	—	—	4,059		
					Deduct Decrease .. ..	4,059						
					Net Increase .. S.Rs.	36,633						

[illegible]



## MAHARATTA PROVINCES.

	1927-28.		1928-29.		INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
IMPORTS:								
Cotton Piece Goods ..	4,073	3,140	6,086	6,355	2,013	3,215	—	—
Cotton ..	19,094	2,99,977	13,829	1,69,501	—	—	5,265	1,30,476
Salpêtre ..	—	—	334	1,335	334	1,335	—	—
Seeds, of sorts ..	70	300	129	632	59	332	—	—
Shell Lac ..	—	—	28	555	28	555	—	—
Tinical and Borax ..	—	—	7	144	7	144	—	—
Bottle-nuts ..	—	—	6	351	6	351	—	—
Wax and Wax Candles ..	72	3,701	9	479	—	—	63	3,222
Carpets and Blankets ..	—	—	2	10	2	10	—	—
Gum ..	—	—	39	160	39	160	—	—
Sundries ..	—	3,428	—	569	—	—	—	2,859
		3,10,546	—	1,80,091	—	6,102	—	1,36,557
					Deduct Increase ..		..	6,102
					Net Decrease ..		S.Rs.	1,30,455

## CASHMERE.

	1927-28.		1928-29.		INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
IMPORTS:								
Shawls ..	3,944	1,55,817	2,283	2,78,332	—	1,22,515	1,711	—

NEPAUL AND BOOTAN.

	1827-28.		1828-29.		INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
<b>IMPORTS:</b>								
Shell Lac .. .. maunds	391	7,820	—	—	—	—	391	7,820
Wax and Wax Candles .. —	28	2,002	39	2,347	11	345	—	—
Sundries .. ..	—	7,012	—	6,164	—	—	—	848
		16,834	—	8,511	—	345	—	8,668
					Deduct Increase .. ..		..	345
					Net Decrease .. S.Rs.			8,323

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	1827-28.		1828-29.		INCREASE.		DECREASE.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
<b>EXPORTS:</b>								
Foreign Piece Goods .. ..	—	1,200	—	—	—	—	—	1,200
Europe Sundries .. ..	—	—	—	10,678	—	10,678	—	—
Country ditto .. ..	—	13,825	—	—	—	—	—	13,825
		15,025	—	10,678	—	10,678	—	15,025
					Deduct Increase .. ..		..	10,678
					Net Decrease .. S.Rs.			4,347



407. The amount of Duties, or Custom-house Revenue, received at the Presidency in the year under review, in the Internal Trade, amounted to sicca rupees 4,32,750, being sicca rupees 26,260 less than the collections of the previous year. The Duties on the External Trade, as already shown, have been sicca rupees 15,02,789, giving the aggregate of collections at the Presidency, in the sum of sicca rupees 19,35,539, on sicca rupees 27,651, increased upon the gross receipts of the year 1827-28.

408. The collections have been subjected to reduction in the present year by drawbacks, refunds, and office or establishment charges, in the sum of sicca rupees 6,14,023, which taken from the amount of receipts, leaves the net Presidency Custom-house Revenue at sicca rupees 13,21,516, compared with the results of the previous year, is a deficiency of sicca rupees 38,999, which is accounted for in the following Illustration; viz.

EXTERNAL.  
AND INTERNAL.  
COMMERCE.

(1.)  
Bengal.

Duties and  
Customs.

Comparison of the Collections on the External Trade—Increase ..	53,911	
Ditto .. ditto .. on Internal Trade—Decrease ..	26,260	
Increase of Collections .. .. S.Rs.	27,651	
<hr/>		
Comparison of Drawback—Increase .. ..	79,801	
Ditto .. of Office Charges—Decrease ..	11,561	
Ditto .. of Refunds of Duty .. ..	1,500	
	13,151	
<hr/>		
Comparison of Payments—Increase .. ..	66,650	
Deduct Increase Collections .. ..	27,651	
Comparative Decrease of Collections .. S.Rs.		38,999

particularized in the following Statement :

INTERNAL COMMERCE.	Value of Trade.	Government Duty.	Town Duty.	Fees on Town Duty Bond.	Moffie and Exchange Duty.	Fees on Moffie and Exchange Rowanahs received from Individuals.	Confiscated Goods belonging to Govern- ment.	Miscellaneous, including Interest.	Retrenchment on account of Leave of Absence.	TOTAL.
Imports ..	5,33,29,946	1,76,690	1,82,461	4,129	—	—	35	2,186	396	3,65,897
Exports ..	1,40,82,817	11,842	—	—	40,508	14,503	—	—	—	66,853
	6,74,12,763	1,88,532	1,82,461	4,129	40,508	14,503	35	2,186	396	4,32,750

**Add Revenue yielded by External Commerce:**

EXTERNAL COMMERCE.		Value of Trade.	Government Duty.	Town Duty.	Bond Rowanah Transit Duty realized at Calcutta, including expired Bond.	2-5th Share of the Net Proceeds of the Sale of Confiscated Goods belonging to Government.	Miscellaneous, including Interest.	TOTAL.
Imports	.. ..	3,70,95,106	13,26,512	15,293	—	9	24,121	13,65,935
Exports	.. ..	5,20,45,132	74,234	—	62,620	—	—	1,36,854
		8,91,40,238	14,00,746	15,293	62,620	9	24,121	15,02,789
<p style="text-align: center;">Deduct Charges:</p> <p style="text-align: center;">Fixed Allowance of Office Establishment, and Contingent, &amp;c.</p>								
		Drawback .. ..	.. ..	.. ..	.. ..	.. ..	2,85,706	19,35,539
		Duty refunded on External Commerce .. ..	.. ..	.. ..	.. ..	3,366	3,23,635	
		Ditto .. on Internal ditto .. ..	.. ..	.. ..	.. ..	1,316	4,682	
								6,14,023

Net Revenue ..	S. Rs. 13,21,516
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# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 815

409. The net amount of Revenue derived from Customs' Collections, throughout the places comprehended in the Report of the External and Internal Commerce of Bengal, for the year under consideration, is sicca rupees 49,65,818, as exhibited in the following Statement; *viz.*

EXTERNAL  
AND INTERNAL  
COMMERCE.

(1.)  
Bengal.

Duties and  
Customs.

## External Commerce :—

Amount of Duties on Imports and Exports ..	14,00,746
Town Duties .. .. .	15,293
Bond Rowanahs, &c. .. .. .	62,620
Confiscations .. .. .	9
Miscellaneous .. .. .	24,121

## Internal Commerce :—

Collections on Calcutta Imports and Exports ..	1,88,532
Ditto Town Duty .. .. .	1,82,461
Ditto on Fees on Bonds, &c. .. .. .	4,129
Ditto Moftee and Exchange Rowanahs ..	40,568
Ditto Fees on Moftee and Exchange Rowanahs received from Individuals .. .. .	14,503
Ditto Confiscations .. .. .	35
Ditto Miscellaneous .. .. .	2,186
Ditto Retrenchment, for Leave of Absence ..	396
Collections in the Interior .. .. .	42,78,710

15,02,789

From which deduct,	
Drawbacks paid at Calcutta .. .. .	3,23,635
Duties refunded .. .. .	4,682

47,11,460

62,14,249

Charges attending the Collections in Calcutta Custom-house .. .. .	2,85,706
And in the Internal fixed Allowances; Office Establishments; including Contingencies ..	6,34,408

3,28,317

9,20,114

12,48,431

Net Revenue from Customs in 1828-29 .. S. Rs. 49,65,818

410. The revenue derived from the several Custom-houses, and the fluctuations to which each has been subject, are exemplified in the following Statement :

## COMPARATIVE STATEMENT of Gross Collections of Government Customs and Town Duties, &c. for 1827-28 and 1828-29.

LOWER PROVINCES.						1827-28.	1828-29.	Increase.	Decrease.
Calcutta .. .. .	..	..	..	..	..	19,07,888	19,35,539	27,651	—
Dacca .. .. .	..	..	..	..	..	3,23,476	2,96,204	—	27,272
Chittagong .. .. .	..	..	..	..	..	26,635	23,575	—	3,060
Hooghly .. .. .	..	..	..	..	..	2,17,397	2,11,154	—	6,243
Moorsheadabad .. .. .	..	..	..	..	..	4,55,441	4,60,152	4,711	—
Cuttack .. .. .	..	..	..	..	..	14,645	13,781	—	864
Patna .. .. .	..	..	..	..	..	2,69,373	2,39,732	—	29,641
						32,14,855	31,80,137	32,362	67,080

# 816 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(1.)  
Bengal.  
Duties and  
Customs

UPPER PROVINCES.						1827-28.	1828-29.	Increase.	Decrease.
Mirzapore	..	..	..	..	..	3,13,673	3,05,079	—	8,594
Benares	..	..	..	..	..	1,85,040	1,70,622	—	14,418
Ghazee pore	..	..	..	..	..	1,84,987	1,83,923	—	1,064
Allahabad	..	..	..	..	..	1,54,768	1,62,123	7,355	—
Cawnpore	..	..	..	..	..	2,10,623	2,56,074	45,451	—
Agra	..	..	..	..	..	14,12,701	14,22,291	9,590	—
Barcilly	..	..	..	..	..	1,54,597	1,68,281	13,684	—
Furruckabad	..	..	..	..	..	1,26,192	1,41,864	15,672	—
Meerut	..	..	..	..	..	2,36,421	1,77,237*	—	59,148
Banda	..	..	..	..	..	6,928	5,436	—	1,492
Goruckpore	..	..	..	..	..	8,862	9,066	204	—
Etawah	..	..	..	..	..	2,775	3,359	584	—
Mooradabad	..	..	..	..	..	8,215	7,321	—	894
Allyghur	..	..	..	..	..	10,813	11,736	923	—
Calpee	..	..	..	..	..	17,267	9,664	—	7,603
						30,33,862	30,34,112	93,463	93,213
GRAND TOTAL .. .. S. Rs.						62,48,717	62,14,249	1,25,825	1,60,293
Deduct Increase .. ..									1,25,825
Net Decrease in 1828-29 .. .. S. Rs.									34,468

411. The comparative result of the Revenue derived from Customs is a decrease of sicca rupees 46,857, in the year 1828-29, as below ; viz.

	1827-28.	1828-29.
Receipts on External Commerce .. ..	14,48,878	15,02,789
Ditto . on Internal ditto .. ..	45,27,650	44,67,242
Town Duties and other Receipts .. ..	2,72,189	2,44,218
	62,48,717	62,14,249
Deduct Drawbacks and Charges .. ..	12,36,042	12,48,431
	50,12,675	49,65,818
Deduct .. ..	49,65,818	
Decrease in 1828-29 .. .. S. Rs.	46,857	

412. The following Statement presents a comparison of the aggregate of the External and Internal Trade of Bengal, between the years 1827-28 and 1828-29, the result of which is a decrease of sicca rupees 17,27,339, namely,

\* As reported to the Resident of Delhi, who includes them with the Delhi collections.

	IMPORTS.			EXPORTS			GRAND TOTAL.
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.	
1827-28.							
EXTERNAL:							
Honourable Company's Trade ..	3,48,312	15,76,898	19,25,210	25,32,676	34,58,720	2,39,91,396	2,59,16,606
Private Individuals ..	2,76,49,255	1,26,24,711	4,02,73,966	3,89,94,428	10,22,267	4,00,16,695	8,02,90,661
	2,79,97,567	1,42,01,609	4,21,99,176	5,95,27,104	44,80,987	6,40,08,091	10,62,07,267
INTERNAL:							
Honourable Company's Trade ..	2,18,58,600	—	2,18,58,600	—	—	—	2,18,58,600
Private Individuals ..	3,21,31,634	—	3,21,31,634	1,66,40,353	—	1,66,40,353	4,87,71,987
	5,39,90,234	—	5,39,90,234	1,66,40,353	—	1,66,40,353	7,06,30,587
—							
1828-29.							
EXTERNAL:							
Honourable Company's Trade ..	1,51,916	17,33,984	18,85,900	1,63,71,594	3,00,000	1,66,71,594	1,85,57,494
Private Individuals ..	3,01,92,732	69,02,374	3,70,95,106	5,02,81,959	17,63,193	5,20,45,152	8,01,40,258
	3,03,44,648	86,36,358	3,89,81,006	6,66,53,553	20,63,193	6,87,16,746	10,76,97,752
INTERNAL:							
Honourable Company's Trade ..	2,31,81,313	—	2,31,81,313	—	—	—	2,31,81,313
Private Individuals ..	3,01,48,633	—	3,01,48,633	1,40,82,817	—	1,40,82,817	4,42,31,450
	5,33,29,946	—	5,33,29,946	1,40,82,817	—	1,40,82,817	6,74,12,763
							17,51,10,515
							17,27,339

Decrease in Commerce of 1828-29 ..



# 818 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

## RECAPITULATION.

(1.)  
Bengal.

External Trade:—The comparative difference between the Importations of the two years under consideration, is a decrease in the year 1828-29, of .. .. .

The comparative difference between the Exports of the two years under consideration, is a decrease in the year 1828-29, of .. .. .

Internal Trade on Imports, ditto .. .. .

Ditto on Exports, ditto .. .. .

Increase.	Decrease.
—	32,18,170
47,08,655	—
—	6,60,288
—	25,57,536
47,08,655	64,35,994

Deduct .. .. 47,08,655

Deficiency on the Value of Commerce .. S. Rs. 17,27,339

Collection of Custom-house Duties, decrease in the year 1828-29, as } S. Rs. 46,857  
shown in paragraph 423 .. .. .

Calcutta, Board of Customs, }  
Salt and Opium, }  
31st December 1829. }

(Signed) G. CHESTER.  
H. SARGENT.

(2.)

*REPORT ON THE EXTERNAL AND INTERNAL COMMERCE  
OF MADRAS,*

For the Year 1827-28.

(2.)  
Madrās.

To the President and Members of the Board of Revenue.

GENTLEMEN :

1. I HAVE the honour to forward herewith the Statements of the Trade of the Madras Territories, for the official Year 1827-28; made out in the forms directed to be observed by your Secretary's Letter, of the 7th of October 1824, with the exceptions noticed in Mr. Hadow's Letter, of the 9th of November 1824.

2. The nature of the trade of the Madras Territories has been so frequently reported on, that I shall on the present occasion confine myself to such remarks as the several statements may appear to require.

3. The total value of the trade of the Madras Territories by Sea, with places not subordinate to this Presidency, is exhibited in the following Statement :

				Private Trade.	Company's Trade.	TOTAL.
IMPORTS :				M. Rs.	M. Rs.	M. Rs.
Merchandize	..	..	..	93,91,228	4,18,117	98,09,345
Treasure	..	..	..	36,28,467	—	36,28,467
Total	..	..	..	1,30,19,695	4,18,117	1,34,37,812
EXPORTS :						
Merchandize	..	..	..	1,40,64,835	22,62,868	1,63,27,703
Treasure	..	..	..	10,12,726	44,66,376	54,79,102
Total	..	..	..	1,50,77,561	67,29,244	2,18,06,805
GRAND TOTAL	..	..	..	2,80,97,256	71,47,361	3,52,44,617

4. On comparing this with a similar Statement, prepared for the Year 1826-27, there appears a considerable increase under every head but the Imports and Exports of Company's Treasure. The net Increase amounts to rupees 12,23,181, as exhibited in the following Comparative Statement for the two last years :

EXTERNAL  
AND INTERNAL  
COMMERCE.(2.)  
Madras.

	PRIVATE TRADE.				COMPANY'S TRADE.				GRAND TOTAL.	Increase.	Decrease.
	Merchandise.		Treasure.		Merchandise.		Treasure.				
	M. Rs.	TOTAL.	M. Rs.	TOTAL.	M. Rs.	TOTAL.	M. Rs.	TOTAL.			
1826-27:											
Imports ..	81,68,997	1,14,43,407	32,74,410	1,14,43,407	6,76,973	17,97,639	11,20,666	1,32,41,046	M. Rs.	M. Rs.	M. Rs.
Exports ..	1,35,01,308	1,43,98,221	8,97,913	1,43,98,221	13,76,168	63,81,169	50,05,001	2,07,80,390			
	2,16,70,305	2,58,42,628	41,72,323	2,58,42,628	20,53,141	81,78,808	61,25,667	3,40,21,436			
1827-28:											
Imports ..	93,91,228	1,30,19,695	36,28,467	1,30,19,695	4,18,117	1,34,37,812	—	1,34,37,812			
Exports ..	1,40,64,835	1,50,77,561	10,12,726	1,50,77,561	22,62,868	67,29,244	44,66,376	2,18,06,805			
	2,34,56,063	2,80,97,256	46,41,193	2,80,97,256	26,80,985	71,47,361	44,66,376	3,52,44,617			
Increase ...	17,85,758	22,54,628	4,68,870	22,54,628	6,27,844	—	—	28,82,472			—
Decrease ..	—	—	—	—	—	10,31,447	16,59,291	—			16,59,291
Deduct Decrease ..									16,59,291		
Net Increase ..									12,23,181		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 821

5. But although it is satisfactory to observe this improvement, yet it is to be lamented that the total value of the trade continues below the average, both in the Imports and Exports, of the four preceding years, to the amount of rupees 52,63,271½, as appears by the following:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

					IMPORTS.	EXPORTS.	TOTAL.
					M. Rs.	M. Rs.	M. Rs.
1823-24	..	..	..	..	1,91,63,941	2,42,36,730	4,34,00,671
1824-25	..	..	..	..	1,49,45,740	2,55,40,016	4,04,85,756
1825-26	..	..	..	..	1,37,64,833	3,03,58,858	4,41,23,691
1826-27	..	..	..	..	1,32,41,046	2,07,80,390	3,40,21,436
					6,11,15,560	10,09,15,994	16,20,31,554
Average	..	..	..	..	1,52,78,890	2,52,28,998½	4,05,07,888½
1827-28	..	..	..	..	1,34,37,812	2,18,06,805	3,52,44,617
Increase	..	..	..	..	—	—	—
Decrease	..	..	..	..	18,41,078	34,22,193½	52,63,271½

6. According to the practice for some time adopted, of excluding from comparisons of this kind the amount of the Honourable Company's Treasure, the total value of the Company's and Private Merchandize, and of the Private Treasure, will be found to fall short of the average of the four preceding years only to the net amount of rupees 3,21,028¾.

					IMPORTS.	EXPORTS.	TOTAL.
					M. Rs.	M. Rs.	M. Rs.
1823-24	..	..	..	..	1,49,72,335	1,68,58,087	3,18,30,422
1824-25	..	..	..	..	1,49,45,740	1,80,63,402	3,30,09,142
1825-26	..	..	..	..	1,37,36,727	1,79,25,019	3,16,61,746
1826-27	..	..	..	..	1,21,20,380	1,57,75,389	2,78,95,769
					5,57,75,182	6,86,21,897	12,43,97,079
Average	..	..	..	..	1,39,43,795½	1,71,55,474½	3,10,99,269½
1827-28	..	..	..	..	1,34,37,812	1,73,40,429	3,07,78,241
Increase	..	..	..	..	—	1,84,954½	—
Decrease	..	..	..	..	5,05,983½	—	3,21,028¾

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

7. The comparison of the trade of the last two years, exclusive of the Company's Treasure, shows a net increase of rupees 28,82,472, as follows:

1826-27 :						
Value of the Imports of the Company's and Private Merchandize, and of						
Private Treasure, as shown in the last Report .. .. .	..	..	..	..	..	1,21,20,380
Value of the Exports of .. ditto .. ditto .. .. .	..	..	..	..	..	1,57,75,389
						Rupees 2,78,95,769
1827-28 :						
Imports of Private Merchandize and Treasure .. .. .	..	..	..	..	1,30,19,695	
— of Company's Merchandize .. .. .	..	..	..	..	4,18,117	
						1,34,37,812
Exports of Private Merchandize and Treasure .. .. .	..	..	..	..	1,50,77,561	
— of Company's Merchandize .. .. .	..	..	..	..	22,62,868	
						1,73,40,429
						Rupees 3,07,78,241

## IMPORTS.

Imports.

8. The following Statement exhibits the Increase or Decrease in those articles which have varied to the extent of 10,000 rupees, the remainder appearing under the head of Sundries :

IMPORTS :						INCREASE.	DECREASE.
						M. Rs.	M. Rs.
Beetle-nut, Nut Raw, &c. .. .. .	..	..	..	..	..	1,09,800	—
Carriages and Coach Furniture, &c. .. .. .	..	..	..	..	..	35,926	—
Camels .. .. .	..	..	..	..	..	—	14,700
Coral Beads .. .. .	..	..	..	..	..	—	1,06,396
Coir and Coir Rope .. .. .	..	..	..	..	..	—	12,213
China, Earthen and Queen's-ware .. .. .	..	..	..	..	..	20,082	—
Canvas .. .. .	..	..	..	..	..	28,779	—
Confectionery .. .. .	..	..	..	..	..	18,843	—
Cloves .. .. .	..	..	..	..	..	40,442	—
Cotton .. .. .	..	..	..	..	..	63,706	—
Cocoa-nuts and Dry Cocoa-nuts .. .. .	..	..	..	..	..	33,316	—
Dates and other Dried Fruits .. .. .	..	..	..	..	..	13,699	—
Glass-ware .. .. .	..	..	..	..	..	22,787	—
Grain .. .. .	..	..	..	..	..	—	8,86,018
Hats .. .. .	..	..	..	..	..	10,392	—
Horses .. .. .	..	..	..	..	..	—	2,18,470
Hosiery .. .. .	..	..	..	..	..	90,050	—
Liquors and Wines .. .. .	..	..	..	..	..	3,66,089	—
Ditto and Spirits .. .. .	..	..	..	..	..	1,48,945	—

(continued.)

IMPORTS—continued.						INCREASE.	DECREASE.	EXTERNAL AND INTERNAL COMMERCE
						M.Rs.	M.Rs.	(2.) Madras Import.
Marble Stones, &c.	..	..	..	..	..	—	17,025	
Metals, Wrought and Unwrought	..	..	..	..	..	4,11,817	—	
Medicines and Drugs	..	..	..	..	..	17,554	—	
Millinery	..	..	..	..	..	28,693	—	
Military Stores	..	..	..	..	..	26,787	—	
Naval Stores, of sorts	..	..	..	..	..	31,432	—	
Oilman Stores	..	..	..	..	..	19,926	—	
Opium	..	..	..	..	..	—	12,600	
Paper, China and Gilt, &c.	..	..	..	..	..	16,711	—	
Precious Stones (Pearls and Diamonds, &c.)	..	..	..	..	..	—	34,117	
Pepper	..	..	..	..	..	—	20,619	
Perfumery	..	..	..	..	..	—	37,860	
Pictures	..	..	..	..	..	—	29,023	
Paints (Arthal, &c.)	..	..	..	..	..	10,804	—	
Piece Goods, Cotton	..	..	..	..	..	1,32,818	—	
Ditto .. ditto, British	..	..	..	..	..	73,163	—	
Ditto .. Silk	..	..	..	..	..	1,20,014	—	
Saddlery	..	..	..	..	..	16,676	—	
Salt	..	..	..	..	..	39,154	—	
Sandal Wood	..	..	..	..	..	—	14,282	
Silk, Raw	..	..	..	..	..	—	10,767	
Stick Lac	..	..	..	..	..	22,283	—	
Spices	..	..	..	..	..	28,785	—	
Stationery	..	..	..	..	..	52,140	—	
Sugar	..	..	..	..	..	—	31,820	
Tea	..	..	..	..	..	22,624	—	
Terra japonica	..	..	..	..	..	10,031	—	
Timber and Planks	..	..	..	..	..	2,05,491	—	
Wearing Apparel	..	..	..	..	..	21,517	—	
Woollens	..	..	..	..	..	89,569	—	
Sundries	..	..	..	..	..	78,440	—	
						24,09,285	14,45,910	
Treasure						—	7,66,609	
						24,09,285	22,12,519	
Deduct Decrease						22,12,519	—	
Net Increase						1,96,766	—	
Increase in Merchandize						9,63,375	—	
Decrease in Treasure						7,66,609	—	
						M.Rs. 1,96,766	—	

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.  
Imports.

9. The articles in which the principal increase has taken place are Beetle-nuts, Carriages, Cloves, Cotton, Cocoa-nuts, Liquors and Wines, Metals, Naval Stores, Piece Goods (Cotton and Silk), Salt, Stationery, Timber and Planks, and Woollens.

10. Beetle-nuts are imported from Ceylon and the Malacca Straits, and have been for several years brought into the Tanjore District in smaller quantity than usual, but have in the last year increased to the value of rupees 83,229. There is also an increase in Tinnevely, Madura, South Arcot and Madras.

11. The increase in the importation of Metals, amounting to rupees 4,11,817, seems to be accounted for by the falling off in this article during the last three years, both in the Imports from the United Kingdom, and also of the Japan Copper, and of Tin from Java and the Straits of Malacca. The latter have increased in the past year nearly to the extent of rupees 1,50,000.

12. The demand for Liquors and Wines having been greater than usual, in consequence of a decrease in the Importations of the two years preceding, an increase nearly equal to it has now taken place, as was anticipated in the last Report. Spirits have also increased; in Arrack alone, from Ceylon, to the amount of rupees 1,02,872; this article has for several years fallen short of the demand for it by the Commissariat, and it is always disposed of on its reaching Madras; so that the fluctuation which has taken place in the Imports for several years can only be attributed to causes affecting its produce in the Island.

13. In consequence of the War, the quantity of Timber imported from Pegue had decreased very greatly since 1824, but in the last year has again been imported to the extent usual before that period.

14. The principal articles in which a decrease appears, are Grain, Horses, Coral Beads, Pearls and Diamonds, and Sugar; and of these, Grain, the importation of which, from Bengal, in the year preceding, had fallen off to the extent of rupees 12,63,278, has further diminished to the extent of rupees 6,02,254 from the same place.

15. A further decrease in the importation of Horses into these territories, on account of the Honourable Company, has taken place to the amount of rupees 2,70,900; but there is an increase on private account, to the extent of rupees 52,430.

16. A large quantity of Coral Beads of an inferior quality is imported from England annually; and in the last year, the quantity, though less than the year preceding, by the amount of rupees 1,06,396, is rather above the average of the four last years.

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EXPORTS.

Exports.

17. The next Statement, containing such articles of Export as have varied to the extent of rupees 10,000, will be found to exhibit a Net Increase of rupees 10,26,415, or, the Honourable Company's Treasure being excluded, of rupees 15,65,040.

								INCREASE.	DECREASE.	EXTERNAL AND INTERNAL COMMERCE.
EXPORTS :								M. Rs.	M. Rs.	(2.) Madras. Exports.
Beele-nuts, raw, &c.	..	..	..	..	..	..	..	22,307	—	
Coral Beads .. ..	..	..	..	..	..	..	..	11,739	—	
Chanks .. ..	..	..	..	..	..	..	..	—	29,489	
Canvas .. ..	..	..	..	..	..	..	..	—	16,570	
Chillies .. ..	..	..	..	..	..	..	..	—	16,001	
Cardamums .. ..	..	..	..	..	..	..	..	48,378	—	
Cloves .. ..	..	..	..	..	..	..	..	1,06,886	—	
Coir and Coir Rope ..	..	..	..	..	..	..	..	1,00,623	—	
Cotton Yarn .. ..	..	..	..	..	..	..	..	—	10,699	
Cocoa-nuts .. ..	..	..	..	..	..	..	..	72,335	—	
Ditto, dry .. ..	..	..	..	..	..	..	..	70,387	—	
Dyes .. ..	..	..	..	..	..	..	..	—	32,371	
Ghee .. ..	..	..	..	..	..	..	..	—	1,24,308	
Grain .. ..	..	..	..	..	..	..	..	—	2,26,915	
Horses .. ..	..	..	..	..	..	..	..	11,650	—	
Hemp .. ..	..	..	..	..	..	..	..	16,849	—	
Indigo .. ..	..	..	..	..	..	..	..	6,07,939	—	
Jewellery .. ..	..	..	..	..	..	..	..	90,897	—	
Liquors, Wines, Spirits, &c.	..	..	..	..	..	..	..	23,235	—	
Metals .. ..	..	..	..	..	..	..	..	3,56,699	—	
Naval Stores, of sorts	..	..	..	..	..	..	..	—	15,093	
Pepper .. ..	..	..	..	..	..	..	..	1,01,129	—	
Piece Goods, Cotton	..	..	..	..	..	..	..	5,10,115	—	
Precious Stones ..	..	..	..	..	..	..	..	—	19,195	
Provisions, Salt, &c.	..	..	..	..	..	..	..	—	51,618	
Sago .. ..	..	..	..	..	..	..	..	11,949	—	
Salt .. ..	..	..	..	..	..	..	..	76,914	—	
Saltpetre .. ..	..	..	..	..	..	..	..	27,074	—	
Sandal-wood .. ..	..	..	..	..	..	..	..	67,549	—	
Spices (Mace, &c.) ..	..	..	..	..	..	..	..	12,405	—	
Sugar .. ..	..	..	..	..	..	..	..	13,438	—	
Sundry Europe Articles	..	..	..	..	..	..	..	36,643	—	



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EXTERNAL  
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COMMERCE.

(2.)  
Madras.

Exports.

										INCREASE.	DECREASE.
EXPORTS—continued.										M. Rs.	M. Rs.
Tea .. .. .	..	..	..	..	..	..	..	..	..	—	11,240
Timber and Planks ..	..	..	..	..	..	..	..	..	..	—	67,947
Tobacco .. .. .	..	..	..	..	..	..	..	..	..	—	49,544
Turmeric .. .. .	..	..	..	..	..	..	..	..	..	12,368	—
Wax and Wax Candles ..	..	..	..	..	..	..	..	..	..	—	10,746
Woollens and Shawls ..	..	..	..	..	..	..	..	..	..	22,033	—
Sundries .. .. .	..	..	..	..	..	..	..	..	..	21,422	—
										21,31,963	6,81,736
Treasure .. .. .	..	..	..	..	..	..	..	..	..	—	4,23,812
										21,31,963	11,05,548
Deduct Decrease .. ..	..	..	..	..	..	..	..	..	..	11,05,548	—
Net Increase .. .. .	..	..	..	..	..	..	..	..	..	10,26,415	—
Increase in Merchandize .. .. .										14,50,227	—
Decrease in Treasure .. .. .										4,23,812	—
										M. Rs. 10,26,415	—

Indigo.

18. The principal articles in which an increased Exportation has taken place are Indigo and Cotton Piece Goods ; the former to the extent of rupees 6,07,939, and the latter of rupees 5,10,115. The following Statement shows the progressive improvement which has taken place in the Export of Indigo for the last six years :

Indigo exported from the Madras Territories.

			To the United Kingdom.		To Foreign Europe.		To America.	
A. D.			Cwts.	Rs.	Cwts.	Rs.	Cwts.	Rs.
1822-23 .. ..	..	..	1,282	2,81,807	—	—	443	71,266
1823-24 .. ..	..	..	3,231	5,19,398	—	—	—	—
1824-25 .. ..	..	..	3,347	5,42,471	59	9,411	—	—
1825-26 .. ..	..	..	3,358	5,36,771	405	64,958	—	—
1826-27 .. ..	..	..	4,518	7,33,756	22	3,551	—	—
1827-28 .. ..	..	..	7,617	13,20,650	100	16,132	148	23,732

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 827

19. The shipments on account of the Honourable Company exceed those of the year preceding, by the sum of rupces 1,76,992.

20. The increase in Cotton Piece Goods exported, is nearly equal to the decrease which appeared in the year preceding. The following is the Statement, showing the value exported from the Presidency and the principal Ports, during the last two years :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

Exports :  
Cotton Piece  
Goods.

EXPORTS :	1826-27.	1827-28.	Increase.	Decrease.
	M. Rs.	M. Rs.	M. Rs.	M. Rs.
Ganjam .. .. .	949	—	—	949
Vizagapatam (a) .. .. .	7,06,682	4,36,592	—	2,70,090
Rajahmundry (b) .. .. .	7,85,478	8,97,223	1,11,745	—
Masulipatam .. .. .	1,26,601	3,44,169	2,17,568	—
Guntoor .. .. .	1,072	501	—	571
Nellore and Ongole .. .. .	12,206	81	—	12,125
Fort St. George (c) .. .. .	19,15,368	25,16,897	6,01,529	—
Southern Division of Arcot .. .. .	4,77,410	5,72,780	95,370	—
Tanjore .. .. .	3,12,463	5,63,197	2,50,734	—
Madura and Dindigul .. .. .	92,736	1,93,346	1,00,610	—
Tinnevely .. .. .	4,75,285	3,80,608	—	94,677
Malabar .. .. .	11,75,060	7,02,693	—	4,72,367
Canara .. .. .	1,14,353	97,691	—	16,662
	61,95,663	67,05,778	13,77,556	8,67,441
Deduct Decrease .. .. .			8,67,441	
Net Increase .. .. .			5,10,115	

	1826-27.	1827-28.		1826-27.	1827-28.
(a) Private .. .. .	4,75,682	1,14,032	(c) Private .. .. .	17,53,781	22,78,191
Company's .. .. .	2,31,000	3,22,560	Company's .. .. .	1,61,587	2,38,706
	7,06,682	4,36,592		19,15,368	25,16,897
(b) Private .. .. .	4,05,938	2,89,914	Increase on Private Account .. .. .		1,13,667
Company's .. .. .	3,79,540	6,07,309	Ditto on Company's ditto .. .. .		3,96,448
	7,85,478	8,97,223	M. Rs.		5,10,115

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EXTERNAL  
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COMMERCE.

(2.)  
Madras.

Exports:  
Cotton Piece  
Goods.

21. By the following Statement, showing the Ports to which these goods were conveyed, and the amount exported to each, it will be seen that there is a deficit in the Exports to Bombay, to the extent of rupees 3,56,346. This took place chiefly in the district of Malabar, and is attributed by the Sub-collector, in his Report, to a glut in the market at Bombay.

EXPORTS:				1826-27.	1827-28.	Increase.	Decrease.
				M. Rs.	M. Rs.	M. Rs.	M. Rs.
United Kingdom (a) .. .. .	..	..	..	16,49,110	15,68,546	—	80,564
Mediterranean Sea .. .. .	..	..	..	1,58,554	—	—	1,58,554
France .. .. .	..	..	..	60	10,058	9,998	—
America .. .. .	..	..	..	4,250	1,06,998	1,02,748	—
Ditto, South .. .. .	..	..	..	—	1,16,821	1,16,821	—
Ditto, West Coast .. .. .	..	..	..	—	17,080	17,080	—
Bengal .. .. .	..	..	..	3,01,005	1,30,106	—	1,70,899
Bombay .. .. .	..	..	..	11,82,596	8,26,250	—	3,56,346
Cape of Good Hope .. .. .	..	..	..	36,916	19,742	—	17,174
Ceylon .. .. .	..	..	..	4,90,203	7,26,603	2,36,400	—
China .. .. .	..	..	..	933	3,463	2,530	—
French Ports (Indian) .. .. .	..	..	..	20,862	17,927	—	2,935
Goa .. .. .	..	..	..	52,062	5,303	—	46,759
Gulph of Persia .. .. .	..	..	..	59,428	2,99,063	2,42,635	—
Ditto Arabia .. .. .	..	..	..	3,41,935	1,37,078	—	2,04,857
Java .. .. .	..	..	..	—	66,049	66,049	—
Malacca Straits (b) .. .. .	..	..	..	15,44,669	20,65,735	5,21,066	—
Manilla .. .. .	..	..	..	70,918	1,69,356	98,438	—
Mauritius and Bourbon .. .. .	..	..	..	46,252	13,452	—	32,800
Maldiv Islands .. .. .	..	..	..	2,586	1,207	—	1,379
Pcgue .. .. .	..	..	..	39,732	1,55,543	1,15,811	—
Travancore .. .. .	..	..	..	3,962	4,637	675	—
West Coast of Sumatra .. .. .	..	..	..	1,92,630	2,44,761	52,131	—
				61,95,663	67,05,778	15,82,382	10,72,267
Deduct Decrease .. .. .						10,72,267	
Net Increase .. .. .						5,10,115	

		1826-27.	1827-28.			1826-27.	1827-28.
		M. Rs.	M. Rs.			M. Rs.	M. Rs.
(a) Private .. .. .	..	9,03,880	3,99,971	(b) Private .. .. .	..	15,17,772	20,65,735
Company's .. .. .	..	7,45,230	11,68,575	Company's .. .. .	..	26,897	—
		16,49,110	15,68,546			15,44,669	20,65,735

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 829

22. Having thus noticed a few of the principal articles in the Foreign Commerce of these territories, I have the honour to lay before you the Statement of Total Imports and Exports by sea ; showing the several places with which it has been carried on, and the Per-centage which the trade of each place bears in proportion to the whole.

EXTERNAL.  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

Exports.

	IMPORTS.	Per-centage.	EXPORTS.	Per-centage.
	M.Rs.		M.Rs.	
United Kingdom .. .. .	25,87,402	19 $\frac{4}{18}$	(a) 71,58,736	32 $\frac{1}{8}$
Mediterranean Sea .. .. .	904	—	—	—
France... .. .	3,57,461	2 $\frac{1}{8}$	1,94,410	— $\frac{1}{8}$
Madeira and Teneriffe .. .. .	63,700	— $\frac{7}{18}$	—	—
America .. .. .	1,06,394	— $\frac{1}{8}$	1,36,424	— $\frac{1}{8}$
Ditto, South .. .. .	—	—	1,16,821	— $\frac{9}{18}$
Ditto, West Coast .. .. .	—	—	17,080	— $\frac{1}{18}$
Arabia .. .. .	(b) 6,31,531	4 $\frac{1}{18}$	(c) 12,41,543	5 $\frac{1}{8}$
Bengal .. .. .	(d) 15,06,970	11 $\frac{3}{18}$	(e) 11,36,043	5 $\frac{3}{18}$
Bombay .. .. .	(f) 27,26,155	20 $\frac{5}{18}$	(g) 56,98,406	26 $\frac{2}{18}$

(continued.)

(a) Company's .. .. .	44,16,134	(b) Company's .. .. .	86
Private .. .. .	27,42,602	Private .. .. .	6,31,445
	<u>M.Rs. 71,58,736</u>		<u>M.Rs. 6,31,531</u>

(c) Company's .. .. .	2,254	(d) Company's .. .. .	2,578
Private .. .. .	12,39,289	Private .. .. .	15,04,392
	<u>M.Rs. 12,41,543</u>		<u>M.Rs. 15,06,970</u>

(e) Company's .. .. .	1,16,214	(f) Company's .. .. .	3,03,954
Private .. .. .	10,19,829	Private .. .. .	24,22,201
	<u>M.Rs. 11,36,043</u>		<u>M.Rs. 27,26,155</u>

(g) Company's .. .. .	15,22,295
Private .. .. .	41,76,111
	<u>M.Rs. 56,98,406</u>

# 830 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

(2.)  
Madras.  
Exports.

	IMPORTS.	Per-centage.	EXPORTS.	Per-centage.
	M.Rs.		M.Rs.	
Cape of Good Hope .. ..	7,869	— $\frac{1}{8}$	22,264	$\frac{9}{8}$
Ceylon .. ..	7,89,412	5 $\frac{1}{8}$	13,60,917	6 $\frac{4}{8}$
China .. ..	5,04,544	3 $\frac{1}{8}$	(h) 7,22,141	3 $\frac{5}{8}$
French Ports (Indian) .. ..	4,16,989	3 $\frac{2}{8}$	(i) 1,09,006	— $\frac{8}{8}$
Goa .. ..	1,14,329	— $\frac{1}{8}$	2,20,255	1
Gulph of Persia .. ..	17,960	— $\frac{1}{8}$	(j) 4,26,155	1 $\frac{5}{8}$
Java .. ..	1,73,715	1 $\frac{5}{8}$	66,049	— $\frac{5}{8}$
Malacca Straits .. ..	18,79,262	14	22,31,246	10 $\frac{4}{8}$
Manilla .. ..	1,72,650	1 $\frac{4}{8}$	1,71,134	— $\frac{1}{8}$
Mauritius and Bourbon .. ..	56,489	— $\frac{1}{8}$	44,484	— $\frac{3}{8}$
Maldiv Islands .. ..	(k) 1,37,677	1	(l) 32,787	— $\frac{2}{8}$
Pegue .. ..	4,94,609	3 $\frac{1}{8}$	3,24,328	1 $\frac{8}{8}$
Tranquebar .. ..	1,46,012	1 $\frac{1}{8}$	3,348	—
Travancore .. ..	1,83,505	1 $\frac{6}{8}$	65,602	— $\frac{3}{8}$
West Coast of Sumatra .. ..	3,62,273	2 $\frac{1}{8}$	3,07,626	1 $\frac{7}{8}$
	1,34,37,812	100	2,18,06,805	100

(k) Company's .. .. 6,58,400  
Private .. .. 63,741  
M.Rs. 7,22,141

(i) Company's .. .. 7,266  
Private .. .. 1,01,740  
M.Rs. 1,09,006

(j) Company's .. .. 180  
Private .. .. 4,25,975  
M.Rs. 4,26,155

(k) Company's .. .. 1,11,499  
Private .. .. 26,178  
M.Rs. 1,37,677

(l) Company's .. .. 6,501  
Private .. .. 26,386

M.Rs. 32,782

23. The Vessels and Tonnage employed at each Port, in External Commerce, have been as follows:

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 831

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

Exports.

	ARRIVALS.		DEPARTURES.	
	Vessels.	Tons.	Vessels.	Tons.
Ganjam .. .. .	49	5,635	18	1,616
Vizagapatam .. .. .	55	6,229	98	11,641
Rajahmundry .. .. .	247	30,060	288	34,797
Masulipatam .. .. .	38	5,903	23	4,492
Guntoor .. .. .	5	550	2	200
Nellore and Ongole .. .. .	5	720	7	1,200
Fort St. George .. .. .	466	72,759	333	66,614
Southern Division of Arcot .. .. .	16	2,021	22	2,406
Tanjore .. .. .	644	23,661	731	26,496
Madura and Dindigul .. .. .	100	3,522	135	2,880
Tinnevely .. .. .	121	3,679	90	2,531
Malabar .. .. .	1,405	68,194	1,567	78,506
Canara .. .. .	1,542	51,376	1,638	56,837
<b>TOTAL .. .. .</b>	<b>4,693</b>	<b>274,318</b>	<b>4,952</b>	<b>290,216</b>

24. The following are Comparative Statements of the Number of Vessels and Quantity of Tonnage employed in the Foreign Trade of these Territories, arranged under the Flags of the Nations to which the Vessels belong :

ARRIVALS :		1826-27.		1827-28.		INCREASE.		DECREASE.	
		Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
Under									
English Colours ..	3,253	183,093	3,870	171,236	117	—	—	11,857	
French — ..	24	4,607	21	4,914	—	307	3	—	
Dutch — ..	10	1,434	8	784	—	—	2	650	
Danish — ..	—	—	2	12	2	12	—	—	
Spanish — ..	1	220	—	—	—	—	1	220	
Portuguese — ..	217	6,099	236	4,481	19	—	—	1,618	
American — ..	1	279	1	331	—	52	—	—	
Arab — ..	121	21,719	170	27,167	49	5,448	—	—	
Native — ..	933	70,464	877	62,108	—	—	56	8,356	
Turkish — ..	—	—	8	3,285	8	3,285	—	—	
	4,560	287,915	4,693	274,318	195	9,104	62	22,701	
			Deduct .. ..		62	.. ..		9,104	
			Net Increase in Vessels .. ..		133	Decrease in Tons		13,597	

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.  
Exports.

## DEPARTURES:

### Under

	1826-27.		1827-28.		INCREASE.		DECREASE.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
English Colours ..	4,026	205,390	3,703	182,328	—	—	323	23,062
French — ..	17	3,499	19	4,813	2	1,314	—	—
Dutch — ..	8	884	15	1,758	7	874	—	—
Portuguese — ..	225	6,332	190	4,670	—	—	35	1,662
American — ..	1	279	2	662	1	383	—	—
Arab — ..	175	30,560	228	35,276	53	4,716	—	—
Native — ..	663	56,048	786	57,317	123	1,269	—	—
Spanish — ..	—	—	1	220	1	220	—	—
Turkish — ..	—	—	8	3,172	8	3,172	—	—
	5,115	302,992	4,952	290,216	195	11,948	358	24,724
Deduct Increase .. ..							195	11,948
Net Decrease .. ..							163	12,776

## INTERNAL COMMERCE BY SEA.

Internal  
Commerce by Sea.

25. The Internal or Coasting Trade by Sea, between places subordinate to this Presidency, has fallen off, in both Exports and Imports, to the extent of rupees 10,01,410, which is about equal to the increase observable in the same branch of trade in the year preceding.

26. The decrease has taken place in Private Merchandize alone, while there is a considerable increase in Private Treasure, and in the Honourable Company's Merchandize and Treasure, as will appear by the following Statement :

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 833

	PRIVATE TRADE.			COMPANY'S TRADE.			GRAND TOTAL.	Increase.	Decrease.
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	TOTAL.			
1826-27:	M.Rs.	M.Rs.	M.Rs.	M.Rs.	M.Rs.	M.Rs.	M.Rs.	M.Rs.	M.Rs.
Imports ..	61,55,859	51,245	62,07,104	4,17,808	—	4,17,808	66,24,912		
Exports ..	56,44,956	2,73,760	59,18,716	4,77,794	—	4,77,794	63,96,510		
	1,18,00,815	3,25,005	1,21,25,820	8,95,602	—	8,95,602	1,30,21,422		
1827-28:									
Imports ..	44,31,151	1,17,316	45,48,467	5,90,060	8,00,000	13,90,060	59,38,527		
Exports ..	42,44,690	3,91,820	46,36,510	6,18,975	8,26,000	14,44,975	60,81,485		
	86,75,841	5,09,136	91,84,977	12,09,035	16,26,000	28,35,035	1,20,20,012		
Increase ..	—	1,84,131	—	3,13,433	16,26,000	19,39,433	—	21,23,564	—
Decrease ..	31,24,974	—	29,40,843	—	—	—	—	—	31,24,974
Deduct Increase ..							21,23,564	21,23,564	
Net Decrease ..							—	—	10,01,410

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
• Madras.



# 894 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

27. The increase in Company's Merchandize has been chiefly in the Importation at Madras of Cotton from Tinnevely.

28. The Decrease in Private Merchandize, is in the Exports of Grain from Ganjam, Vizagapatam, Rajahmundry, and Tanjore, chiefly to Madras; and in Piece Goods from Vizagapatam, Rajahmundry, Tanjore, chiefly to Madras; and from Tinnevely chiefly to Malabar.

29. The Total Value of the Imports and Exports of Private Merchandize and Treasure, and of Company's Merchandize, in the Internal or Coasting Trade between subordinate Ports, amounts to rupees 1,03,94,012, exclusive of the Company's Treasure; but as this is double the Real Value, from appearing in the Statements of each Port, a more correct amount will be obtained by taking one half.

30. The Value of the Honourable Company's Treasure, which appears to have passed from one Port to another, within these Territories, during the past year, amounts to the sum of rupees 16,26,000, exceeding the value of the year preceding by the whole amount.

31. The Total Value of the Private Merchandize and Treasure, and of the Honourable Company's Merchandize, carried on by Sea, will appear then as follows:

## External Commerce:

Merchandize .. .. .	2,61,37,048	
Private Treasure .. .. .	46,41,193	
		3,07,78,241

## Internal Commerce:

Merchandize .. .. .	98,84,876	
Private Treasure .. .. .	5,09,136	
		1,03,94,012

TOTAL .. Rs. 4,11,72,253

exceeding the value of the last year's Commerce, computed in the same manner, by the sum of rupees 2,55,062.

EXTERNAL COMMERCE BY LAND.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

External  
Commerce by  
Land.

32. The Land Frontier Trade of the Territories under this Presidency has experienced little or no variation in its amount during the year; though from the entry in the State-ments of a large Importation of Treasure into the District of Guntoor from the Nizam's Territory, on account of the Honourable Company, it would appear to have increased considerably.

33. The following is an Abstract Statement of the Value of the Imports and Exports, distinguishing the Company's from Private Trade.

						Private Trade.	Company's Trade.	TOTAL.
IMPORTS:								
Merchandize	..	..	..	..	..	70,20,516	—	70,20,516
Treasure	..	..	..	..	..	2,24,456	2,30,66,200	2,32,90,656
TOTAL .. ..						72,44,972	2,30,66,200	3,03,11,172
EXPORTS:								
Merchandize	..	..	..	..	..	50,72,775	2,59,700	53,32,475
Treasure	..	..	..	..	..	2,11,940	—	2,11,940
TOTAL .. ..						52,84,715	2,59,700	55,44,415
GRAND TOTAL .. ..						1,25,29,687	2,33,25,900	3,58,55,587

(2.)  
Madras.

---

External  
Commerce by  
Land.

### COMPARATIVE STATEMENT of the same for the last Two Years.

	PRIVATE TRADE.			COMPANY'S TRADE.				GRAND TOTAL.	Increase.	Decrease.
	Merchandise.	Treasure.	TOTAL.	Merchandise.	Treasure.	* TOTAL.	* TOTAL.			
1826-27 :										
Imports ..	M. Rs. 69,55,443	M. Rs. 3,34,305	M. Rs. 72,89,748	M. Rs. —	M. Rs. —	M. Rs. —	M. Rs. 72,89,748	M. Rs. —	M. Rs. —	M. Rs. —
Exports ..	49,38,310	2,41,361	51,79,671	2,64,350	—	2,64,350	54,44,021	2,64,350	—	1,43,920
1827-28 :										
Imports ..	1,18,93,753	5,75,666	1,24,69,419	2,64,350	—	2,64,350	1,27,33,769	2,64,350	—	—
Exports ..	70,20,516	2,24,456	72,44,972	—	2,30,66,200	2,30,66,200	3,03,11,172	2,30,66,200	2,32,65,738	—
	50,72,775	2,11,940	52,84,715	2,59,700	—	2,59,700	55,44,415	2,59,700	—	—
	1,20,93,291	4,36,396	1,25,29,687	2,59,700	2,30,66,200	2,33,25,900	3,58,55,587	2,33,25,900	—	—
Increase ..	1,99,538	—	60,268	—	2,30,66,200	2,30,61,550	—	2,30,61,550	2,32,65,738	—
Decrease ..	—	1,39,270	—	4,650	—	—	—	—	—	1,43,920
				Deduct Decrease ..				1,43,920		
				Net Increase ..				2,31,21,818		

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 837

-34. The comparison of the last, with the average of the four preceding years, excluding the Company's Treasure, exhibits a satisfactory result.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

External  
Commerce by  
Land.

	IMPORTS.	EXPORTS.	TOTAL.
	M. Rs.	M. Rs.	M. Rs.
1823-24 .. .. .	68,81,877	49,54,963	1,18,36,840
1824-25 (exclusive of errors) .. ..	63,40,526	45,99,350	1,09,39,876
1825-26 .. .. .	66,45,863	59,21,651	1,25,67,514
1826-27 .. .. .	72,89,748	54,44,021	1,27,33,769
	2,71,58,014	2,09,19,985	4,80,77,999
Average .. .. .	67,89,503½	52,29,996½	1,20,19,499½
1827-28 .. .. .	72,44,972	55,44,415	1,27,89,387
Increase .. .. .	4,55,468½	3,14,418½	7,69,887½
Decrease .. .. .	—	—	—

35. The articles in the Imports, of which a variation to the extent of rupees 10,000 has taken place, are entered in the following Statement :

IMPORTS :	INCREASE.	DECREASE.
Betel-nuts .. .. .	—	1,04,428
Betel Leaves .. .. .	—	10,703
Coral Beads .. .. .	12,207	—
Cattle .. .. .	—	49,070
Cotton .. .. .	—	1,81,365
Ditto Thread .. .. .	44,661	—
Cocoa-nuts, Dry, &c. .. .. .	—	33,190
Dyes .. .. .	99,424	—
Drugs and Medicines .. .. .	—	15,755
Gold and Silver Lace, and Thread .. .. .	—	18,015
Hing, or Assafœtida .. .. .	—	21,614
Jaggary, of kinds .. .. .	—	10,520
Opium .. .. .	1,35,706	—

(continued.)

# 836 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.  
External  
Commerce by  
Land.

IMPORTS—continued.								INCREASE.	DECREASE.
Oils, of sorts	..	..	..	..	..	..	..	—	35,416
Pepper	..	..	..	..	..	..	..	—	15,604
Piece Goods, Cotton	..	..	..	..	..	..	..	73,263	—
Ditto .. Silk	..	..	..	..	..	..	..	30,733	—
Spirituous Liquors, &c.	..	..	..	..	..	..	..	20,781	—
Sugar, &c.	..	..	..	..	..	..	..	—	24,626
Tamarind	..	..	..	..	..	..	..	30,646	—
Timber	..	..	..	..	..	..	..	56,814	—
Tobacco	..	..	..	..	..	..	..	21,298	—
Wax, Bees'	..	..	..	..	..	..	..	10,112	—
Sundries	..	..	..	..	..	..	..	49,734	—
								5,85,379	5,20,306
Treasure								2,29,56,351	—
								2,35,41,730	5,20,306
Deduct Decrease								5,20,306	
Net Increase								2,30,21,424	
Increase in Merchandize								65,073	
Ditto in Treasure								2,29,56,351	
M. Rs.								2,30,21,424	

36. A very considerable increase has taken place in the quantity of Dyes, Opium, and Cotton Piece Goods imported, the first from Kurnool, Mysore, and the Nizam's Territory, and the others from the two last-mentioned countries.

Dyes. 37. Dyeing materials are imported chiefly from the Nizam's Territory,\* and the comparison of the two last years shows the Increase in the following districts to be,

	Rupees.							
In Bellary	..	..	..	..	..	..	..	46,494
Masulipatam	..	..	..	..	..	..	..	7,712
Guntoor	..	..	..	..	..	..	..	19,297
Tanjore and South Arcot, from Foreign European Settlements	..	..	..	..	..	..	..	29,935

Opium. 38. The next article of importance is Opium,† of which the Increase amounts to rupees

	* Total Imported.				Rs.		† Total Imported.				Rs.
1896-97	..	..	..	..	1,70,487	1896-97	..	..	..	..	1,81,661
1897-98	..	..	..	..	2,66,911	1897-98	..	..	..	..	3,17,371

1,37,706. This is from the Nizam's Territory, imported into Masulipatam, in which district the Increase is rupees 109,665, while there is Decrease from the same country into Cuddapah, of rupees 1,945. From Mysore the Increase in Cuddapah is rupees 25,045; in Malabar, rupees 3,320. No traces of this article being regularly exported from the Madras Territory appearing, there can be no doubt that a great part of it is smuggled out by sea; the Collector of Masulipatam, however, states that the principal part of what is imported into that district is sent to Rajahmundry, where it is consumed in great quantities

39. Cotton Piece Goods\* are imported chiefly from Mysore to the following districts, in which there has been an increase in the last year:

							Rs.
In Salem	..	..	..	..	..	..	30,508
Canara	..	..	..	..	..	..	15,645
North Arcot	..	..	..	..	..	..	5,534
Cuddapah	..	..	..	..	..	..	5,740
Bellary	..	..	..	..	..	..	1,974

40. The principal articles in which a decrease appears, are Betel-nuts † and Cotton. Of the first, which is imported chiefly from Mysore, there is a decrease in Bellary of rupees 1,54,037; North Arcot 1,09,073, to be attributed to the great increase in the quantity imported into these districts in the year preceding. There has been an increase in Cuddapah to the extent of rupees 1,22,783, which the principal Collector accounts for by its having been a favourable year for the produce of the Nuts in Mysore, and by the merchants proceeding to Wallajahpettah through his district, which they are now enabled to do, without suffering from the influence of the conflicting interests of renters, in consequence of the Sayer of the Southern Talooks being rented together with the frontier Chowkies of North Arcot and Salem.

41. In the import of Cotton‡ from the Nizam's to Bellary, there has been a decrease to the extent of rupees 2,61,997, and also from the Mahratta States to Canara, of rupees 66,775, which are partly balanced by an increase from the Mahratta States into Bellary, to the extent of rupees 1,56,814. No opinion can be formed as to the cause of the decrease in Bellary from the average quantity, as this article has been omitted till the last two years in the statements, and no report has been received from the principal Collector.

42. The following Statement contains the principal articles of Export, in which a variation of 10,000 rupees and upwards has taken place:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

External  
Commerce by  
Land.

Cotton Piece  
Goods.

Betel-nuts.

Cotton.

* Total Imported.				Rs.	† Total Imports.				Rs.
1826-27	..	..	..	6,15,056	1826-27	..	..	..	23,12,181
1827-28	..	..	..	6,86,319	1827-28	..	..	..	22,07,753
‡ Total Imports.				Rs.					Rs.
1826-27	..	..	..	5,98,679					
1827-28	..	..	..	4,17,314					

# 840 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

EXPORTS :								INCREASE.	DECREASE.
Betel-nuts	..	..	..	..	..	..	..	161,953	—
Cattle	..	..	..	..	..	..	..	160,655	—
Cardamums	..	..	..	..	..	..	..	48,369	—
Cheese, Medicines, and Coals	..	..	..	..	..	..	..	21,700	—
Cotton	..	..	..	..	..	..	..	—	1,61,640
Indigo	..	..	..	..	..	..	..	—	12,001
Metals	..	..	..	..	..	..	..	14,599	—
Oils, of sorts	..	..	..	..	..	..	..	11,675	—
Pepper	..	..	..	..	..	..	..	—	22,555
Piece Goods, Cotton	..	..	..	..	..	..	..	—	1,07,906
Salt	..	..	..	..	..	..	..	—	58,926
Tobacco	..	..	..	..	..	..	..	59,180	—
Wax and Wax Candles	..	..	..	..	..	..	..	12,584	—
Sundries	..	..	..	..	..	..	..	2,128	—
								4,92,853	3,63,038
Treasure								—	29,421
								4,92,853	3,92,459
Deduct Decrease								3,92,459	
Net Increase								1,00,394	

Increase in Merchandize .. .. . 1,29,815  
Decrease in Treasure .. .. . 29,421

M. Rs. 1,00,394

Betel-nuts. 43. Of these Betel-nuts,\* which have been imported in decreased quantity, have been exported to an increased extent of rupees 1,61,953; they are almost entirely exported from Canara to the Mahratta States. In the preceding year the quantity imported was unusually great, and the Exports had greatly declined.

Cattle. 44. Cattle† have been exported from Canara to Mysore, on private account, to the increased extent of rupees 1,61,625, and the total increase amounts to rupees 1,60,665: a decrease took place in the year preceding, to the amount of rupees 1,14,735.

* Total Exported.	Rs.	† Total Exported.	Rs.
1826-27 .. .. .	3,33,935	1826-27 .. .. .	1,08,596
1827-28 .. .. .	4,95,688	1827-28 .. .. .	2,69,261

45. The exportation of Cotton Piece Goods\* has fallen to the extent of rupees 1,07,906, to the Foreign European Settlements; from Tanjore there appears a decrease of rupees 65,901; and the principal Collector states, that "a greater exportation of White Cloth from our own ports to the Eastern Islands, has occasioned this decrease, as much of this description formerly found its way thither through Carrical." There is also a decrease from Tinnevely to Travancore, to the amount of rupees 71,729.

46. The net decrease in the exportation of Cotton Wool,† amounts to rupees 1,61,640; it is chiefly exported to Mysore from Bellary, and into Travancore from Tinnevely. The Exports of the preceding year were unusually great, which may probably be the reason of this decrease.

47. Among the accompanying Statements will be found one of the trade of the Presidency, by land, which exhibits a satisfactory result, both in the Imports and Exports; the former having increased to the net amount of rupees 11,86,076, and the latter of rupees 6,59,857.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

Cotton Piece  
Goods.  
Cotton Wool.

	1826-27.	1827-28.	INCREASE.
	M. Rs.	M. Rs.	M. Rs.
Imports of Merchandize, on Private Account ..	70,60,146	81,67,230	11,07,084
Ditto .. ditto on Company's ditto ..	—	78,992	78,992
Exports of Merchandize, on Private Account ..	19,78,291	26,38,148	6,59,857
TOTAL ..	90,38,437	108,84,370	18,45,933

48. The total value of the trade of the territories under this Presidency, as appears by the accompanying Statements for the year 1827-28, has been

External Commerce, by Sea .. ..	Rupees.
Ditto .. .. by Land .. ..	3,52,44,617
Internal Commerce, by Sea .. ..	3,58,55,587
	1,20,20,012
	8,31,20,216

exceeding the value of the preceding year, by the sum of rupees 2,33,43,589, the Honourable Company's Treasure being included.

Total Exported.	Rs.	Total Exported.	Rs.
* 1826-27 .. ..	9,47,990	† 1826-27 .. ..	7,45,646
1827-28 .. ..	8,40,084	1827-28 .. ..	5,64,006



# 842 **THIRD APPENDIX TO THE THIRD REPORT OF THE**

EXTERNAL  
AND INTERNAL  
COMMERCE

(2.)  
Madras.

		PRIVATE TRADE.		
		Merchandise.	Treasure.	TOTAL.
1826-27 :		M. Rs.	M. Rs.	M. Rs.
Imports and Exports of External Com- merce, by Sea .. .. . }		2,16,70,305	41,72,323	2,58,42,628
Ditto .. Internal Commerce, by Sea ..		1,18,00,815	3,25,005	1,21 25,820
Ditto .. External Commerce, by Land ..		1,18,93,753	5,75,666	1,24,69,419
1827-28 :		4,53,64,873	50,72,994	5,04,37,867
Imports and Exports of External Com- merce, by Sea .. .. . }		2,34,66,063	46,41,193	2,80,97,256
Ditto .. Internal Commerce, by Sea ..		86,75,841	5,09,136	91,84,977
Ditto .. External Commerce, by Land ..		1,20,93,291	4,36,396	1,25,29,687
		4,42,25,195	55,86,725	4,98,11,920
Increase .. .. .		—	5,13,731	—
Decrease .. .. .		11,39,678	—	6,25,947

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 843

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

COMPANY'S TRADE.			GRAND TOTAL.
Merchandise.	Treasure.	TOTAL.	
M. Rs.	M. Rs.	M. Rs.	M. Rs.
20,53,141	61,25,667	81,78,808	3,40,21,436
8,95,602	—	8,95,602	1,30,21,422
2,64,350	—	2,64,350	1,27,33,769
32,13,093	61,25,667	93,38,760	5,97,76,627
26,80,985	44,66,376	71,47,361	3,52,44,617
12,09,035	16,26,000	28,35,035	1,20,20,012
2,59,700	2,30,66,200	2,33,25,900	2,58,55,587
41,49,720	2,91,58,576	3,33,08,296	8,31,20,216
9,36,827	2,30,32,909	2,39,69,536	—
—	—	—	—
Total Increase .. ..			2,44,83,267
Total Decrease (Deduct) .. ..			11,39,678
Net Increase .. ..			2,33,43,589

# 844 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

49. The value of private Merchandize, forming part of the above, amounts to the sum of rupees 4,42,25,195, being less than that of the preceding year, by the sum of rupees 11,39,678.

50. The

S E A.	COLLECTIONS.		
	Gross Amount of Import Duties.	Gross Amount of Export Duties.	TOTAL.
	M.Rs. a. p.	M.Rs. a. p.	M.Rs. a. p.
Ganjam .. .. .	368 4 9	8,127 5 2	8,495 9 11
Vizagapatam .. .. .	815 2 9	20,199 4 9	21,014 7 6
Rajahmundry .. .. .	3,730 7 5	4,949 12 2	8,680 3 7
Masulipatam .. .. .	12,546 12 11	13,629 14 8	26,176 11 7
Guntoor .. .. .	119 1 11	4,558 8 2	4,677 10 1
Nellore and Ongole .. .. .	26 6 5	14,550 9 1	14,576 15 6
Fort St. George .. .. .	4,22,889 9 9	4,024 13 7	4,26,914 7 4
Southern Division of Arcot .. .. .	20,753 4 4	37,284 8 3	58,037 12 7
Tanjore .. .. .	42,579 6 4	34,865 1 8	77,444 8 0
Madura and Dindigul .. .. .	3,420 1 11	7,392 9 6	10,812 11 5
Tinnevelly .. .. .	8,346 9 8	22,219 1 6	30,565 11 2
Malabar .. .. .	36,274 11 7	2,21,708 8 3	2,57,983 3 10
Canara .. .. .	17,852 2 9	1,43,599 9 2	1,61,451 11 11
SEA TOTAL .. .. .	5,69,722 2 6	5,37,109 9 11	11,06,831 12 5

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 845

- 50. The gross amount of the Collections of Land and Sea Customs, with the Charges of Collection, and Net Amount for each district, is exhibited in the following Statements:

EXTERNAL  
AND INTERNAL  
COMMERCE.

(2.)  
Madras.

CHARGES OF COLLECTION.				Net Amount of Duties received within the Year.
Duties refunded.	Drawbacks allowed.	Expenses of Collection.	TOTAL.	
M. Rs. a. p.	M. Rs. a. p.	M. Rs. a. p.	M. Rs. a. p.	M. Rs. a. p.
—	—	5,100 12 0	5,100 12 0	3,394 13 11
—	10,691 3 0	2,625 3 10	13,316 6 10	7,698 0 8
—	—	3,890 13 10	3,890 13 10	4,789 5 9
26 4 0	1,706 14 2	2,913 0 0	4,646 2 2	21,530 9 5
—	—	641 7 4	641 7 4	4,036 2 9
—	—	3,711 12 0	3,711 12 0	10,865 3 6
828 8 0	—	81,897 14 3	82,726 6 3	3,44,188 1 1
—	28,682 5 3	4,270 11 7	32,953 0 10	25,084 11 9
—	1,363 11 3	7,113 8 10	8,477 4 1	68,967 3 11
—	—	2,181 6 11	2,181 6 11	8,631 4 6
—	—	2,948 10 3	2,948 10 3	27,617 0 11
—	37,435 12 8	26,662 14 4	64,098 11 0	1,93,884 8 10
—	—	23,866 13 4	23,866 13 4	1,37,584 14 7
854 12 0	79,879 14 4	1,67,825 0 6	2,48,559 10 10	8,58,272 1 7

(continued.)

EXTERNAL  
AND INTERNAL  
COMMERCE(2.)  
Madras.

L A N D.	Gross Amount of Duties collected in Cash.			C H A R G E S O F C O L L E C T I O N.								Net Amount of Duties received within the Year.			
	M. Rs.	a.	p.	Duties refunded.	Drawback allowed.	Expenses of Collection.			TOTAL.	M. Rs.	a.	p.			
						M. Rs.	a.	p.							
Ganjam ..	37,012	1	1	—	—	612	0	0	612	0	0	36,400	1	1	
Vizagapatam ..	1,761	6	4	—	—	—	—	—	—	—	—	1,761	6	4	
Rajahmundry ..	1,25,845	4	6	—	4,526	8	1	3,762	3	1	8,388	11	2		
Masulipatam ..	1,54,086	1	11	—	—	12,991	8	0	12,991	8	0	1,17,556	9	4	
Guntur ..	2,860	10	4	—	—	3,518	8	5	3,518	8	5	1,41,094	9	11	
Bellary ..	3,71,497	7	11	—	—	10,402	11	5	10,402	11	5	(a)			
Cuddapah ..	1,33,754	0	0	—	—	5,973	0	0	5,973	0	0	3,61,094	12	6	
N. D. of Arcot ..	1,93,573	8	6	—	—	30,488	0	0	30,488	0	0	1,27,781	0	0	
Southern Ditto ..	2,34,562	4	10	—	—	34,389	2	0	34,389	2	0	1,63,085	8	6	
Tanjore ..	3,74,628	15	6	—	—	5,252	3	3	5,252	3	3	2,00,173	2	10	
Salem ..	2,12,673	9	11	—	—	25,024	13	10	25,024	13	10	3,69,376	12	3	
Madura and Dindigul ..	3,74,169	9	7	—	—	7,177	8	3	7,177	8	3	1,87,648	12	1	
Tinnevelly ..	31,440	9	10	—	—	3,260	2	1	3,260	2	1	3,66,992	1	4	
Coimbatore ..	2,01,730	12	3	—	—	3,303	0	0	3,303	0	0	28,180	7	9	
Malabar ..	90,501	3	11	742	4	7	2,915	15	10	3,658	4	5	1,98,427	12	3
Canara ..	2,86,465	9	8	20,146	11	2	36,561	14	11	56,708	10	1	86,842	15	6
FRONTIER DISTRICTS, }	28,26,563	4	1	20,888	15	9	1,85,632	11	1	2,11,048	2	11	2,29,756	15	7
TOTAL .. .. }					4,526	8	1						26,16,172	15	3
(a) Deduct Excess in Charges than the Collections, in the District of Guntur .. ..													657	14	1
Net Revenue .. ..													26,15,515	1	2

Chingleput .. ..	60,000 0 0	—	—	12,951 2 6	12,951 2 6	47,048 13 6
Nellore and Ongole .. ..	76,321 8 3	119 4 5	—	1,619 11 5	1,738 15 10	74,582 8 5
Trichinopoly .. ..	1,98,197 14 4	—	—	1,356 0 0	1,356 0 0	1,96,841 14 4
INTERIOR DISTRICTS } Total .. ..	3,34,519 6 7	119 4 5	—	15,926 13 11	16,046 2 4	3,18,473 4 3
MADRAS .. ..	5,96,681 15 8	—	—	22,992 0 7	2,78,907 9 10	3,17,774 5 10
GRAND TOTAL, NET REVENUE .. .. M. Rs. 41,10,034 12 10						

51. The gross amount of Duties collected, it will be observed, exceeds that of the preceding year, by the sum of rupees 2,52,295; and the Charges of Collection and Drawbacks having also increased, to the extent of rupees 1,33,981, the Net Revenue, amounting to rupees 41,10,034 12. 10., is also greater than that of the year preceding, by the sum of rupees 1,18,314.

I have the honour to be, Gentlemen,

Your most obedient Servant,

Fort St. George,

Reporter External Commerce Office,

10 March 1829.

(Signed) W. ASHTON,

Deputy-Collector of Sea Customs.

**(3.)****(3.)  
Bombay.  
Imports-General.****REPORT ON THE EXTERNAL AND INTERNAL COMMERCE  
OF BOMBAY,****For the Year 1828-29.**

1. THE total amount of the trade this season, of private individuals, as compared with the value of the preceding year 1827-28, shows an ultimate Increase in the Imports-General of 1828-29, of rupees 3,98,594 in the External Commerce, from places beyond the territories subject to the Government of this Presidency, as will be seen on reference to the accompanying Comparative Statement, No. 5.\* The same document will exhibit a decrease in Treasure and Horses, the former of rupees 1,02,805, and the latter of rupees 2,07,240, leaving an increase in Merchandize, in favour of the present season, to the amount of rupees 7,08,639. With respect to the subordinate Imports, the aforementioned Statement will show an increase of rupees 6,21,048 from Panwell and the Concan; from Surat, a decrease of rupees 7,29,252; and from the Northern Ports of Guzerat, of rupees 7,55,976. The subjoined Statement will exhibit under one view the state of the Import Trade in 1828-29, contrasted with the amount of the preceding year, 1827-28:

	DECREASE.	INCREASE.
From the United Kingdom .. .. .	3,84,455	—
France .. .. .	—	2,60,659
Hamburgh .. .. .	27,095	—
Brazils .. .. .	1,14,076	—
Madeira .. .. .	—	21,045
Cape of Good Hope .. .. .	—	30,227
Isles of France and Bourbon .. .. .	2,29,478	—
China .. .. .	3,87,109	—
Manilla .. .. .	—	4,12,412
Penang and the Eastern Islands .. .. .	—	31,757
Bengal .. .. .	6,15,675	—
Coast of Coromandel .. .. .	10,675	—
Ceylon .. .. .	—	97,823
Malabar and Canara .. .. .	—	1,15,136
Goa, Demaun and Diu .. .. .	—	55,275
Cutch and Scind .. .. .	—	1,53,843
Persian Gulf .. .. .	—	13,05,524
		(continued.)

	Merchandize.	Treasure.	Horses.
* 1827-28 .. .. .	2,43,46,598	1,21,07,794	7,09,040
1828-29 .. .. .	2,50,55,237	1,20,04,989	5,01,800
	7,08,639	1,02,805	2,07,240
	Increase.	Decrease.	Decrease.

## SELECT COMMITTEE OF THE HOUSE OF COMMONS. 849

(continued.)

(continued.)							DECREASE.	INCREASE.	AND INTERNAL COMMERCE.
From Arabian Gulf ..	..	..	..	..	..	4,12,030	—	(3.)	
Coast of Africa ..	..	..	..	..	..	—	97,482	Bombay.	
America ..	..	..	..	..	..	1,996	—	Imports-General.	
						21,82,589	25,81,183		
Deduct Decrease .. ..						..	21,82,589		
Net Increase .. ..						Rs.	3,98,594		

2. With reference to Comparative Statement, No. 6,\* the value of the Exports in Merchandize has increased this season to the amount of rupees 10,75,890; Treasure shows an excess of rupees 9,86,351, and likewise Horses, of rupees 1,33,200, exhibiting an ultimate increase in the Exports-General in 1828-29, of rupees 21,95,441, in the total amount of External Commerce of individuals to places beyond the territories subject to Bombay. In regard to subordinate Exports, the same Statement will exhibit a decrease of rupees 13,75,853 to Pauwell and the Concan; to Surat, rupees 4,57,548; and an increase to the Northern Ports of Guzerat of rupees 11,28,327. The following Statement exhibits the Increase and Decrease in the Exports from hence to each place during the official year 1828-29, compared with that of the preceding year, 1827-28.

						DECREASE.	INCREASE.
To the United Kingdom	..	..	..	..	..	—	26,51,749
France	..	..	..	..	..	1,18,359	—
Brazils	..	..	..	..	..	78,568	—
St. Helena	..	..	..	..	..	—	450
Cape of Good Hope	..	..	..	..	..	2,238	—
Isles of France and Bourbon	..	..	..	..	..	—	7,584
China	..	..	..	..	..	14,44,969	—
Penang and the Eastern Islands	..	..	..	..	..	1,55,858	—
Bengal	..	..	..	..	..	1,42,674	—
Coast of Coromandel	..	..	..	..	..	—	9,442
Ceylon	..	..	..	..	..	—	81,156
Malabar and Canara	..	..	..	..	..	—	2,30,189
Goa, Demaun and Diu	..	..	..	..	..	—	9,909
Cutch and Scind	..	..	..	..	..	2,16,583	—
Persian Gulf	..	..	..	..	..	—	11,46,099
Arabian Gulf	..	..	..	..	..	—	1,45,855
Coast of Africa	..	..	..	..	..	—	79,070
America	..	..	..	..	..	6,813	—
						21,66,062	43,61,503
Deduct Decrease	..	..					21,66,062
Net Increase	..	..				Rs.	21,95,441

	Merchandise	Treasure.	Horses.
* 1827-28 .. ..	2,78,88,584	10,53,827.	3,14,000
1828-29 .. ..	2,89,64,478	20,40,178	4,47,200
<b>Increase ..</b>	<b>10,75,890</b>	<b>9,86,351</b>	<b>1,33,200</b>



# 850 THIRD APPENDIX TO THE THIRD REPORT OF THE

EXTERNAL  
AND INTERNAL  
COMMERCE.

(8.)  
Bombay.

3. The probable circumstances by which the particular branches of the Commerce of this Presidency may have been affected, on comparing the various items of Increase or Decrease, will be more clearly and satisfactorily pointed out under the several places of Import and Export.

4. In continuation of the Revenue Statement, accompanying the Report on External Commerce of former years, the following Comparative View of the Aggregate Amount of Collections by the Custom-house, during the official years 1827-28 and 1828-29, is

COMPARATIVE STATEMENT of the Collections realized by

		CUSTOMS AND MARINE DUTY, at 2½ per Cent. and 1 per Cent., exclusive of Drawback.		TOWN DUTY, 4 per Cent.	PASSAGE BOATS.
1827-28 .. ..	6,04,578 3 11	1,75,374 3 16	30,353 2 15	12,203 3 61	
1828-29 .. ..	5,73,125 0 3	1,75,602 0 82	26,486 1 5	12,492 1 76	
Increase ..	—	227 1 66	—	288 2 15	
Decrease ..	31,453 3 8	—	3,867 1 10	—	
		(a)	(b)	(c)	

SURPLUS FEES.	FOREIGN IMPORT DUTY, at 4½ per Cent.	FOREIGN EXPORT DUTY, at 3½ per Cent.	CUSTOMS, at 1½ per Cent. on Goods more than Certificated.	SAYER REVENUE on Spiruous Liquors.
49,427 3 78	45,261 1 27	13,154 2 90	—	1,81,746 2 94
49,506 0 14	52,269 2 13	5,492 2 23	5 2 86	87,285 2 2
78 0 36	7,008 0 86	—	5 2 86	—
—	—	7,662 0 67	—	94,461 0 92
(i)	(j)	(k)	(l)	(m)

(a) In consequence of a less quantity of Cotton imported this year than the last.

(b) The decrease under this head is occasioned by the consumption of Sugar, Piece Goods, &c., having been much less than the last year.

(c) Owing to the several Passage Boats having been re-farmed at a higher rate this year.

(d) In consequence of the less importation of Cotton, and sundry Fees at Mahim.

(e) In consequence of a less quantity of Goods having been seized this year.

(f) In consequence of the collection of Sayer Revenue on Mowrah Arrack being transferred to the Collector of Sea Customs in the Concan, as per order of Government, dated 3d May 1828.

(g) In consequence of a less quantity of Cotton imported this year than the last.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 851

now submitted, thus showing that the total revenue which Government received on the Commerce of this Presidency, after deducting the amount of the several Drawbacks allowed the exporter, in 1827-28 was rupees 13,02,368; and in 1828-29 amounted to the sum of rupees 11,31,760, being rupees 1,70,608 short of the revenue which the Commerce yielded in the preceding year. A reference to this document will show the particulars of this serious defalcation in the receipt of the various Collections at this Port in 1828-29.

EXTERNAL.  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.

the CUSTOM HOUSE, for the Years 1827-28 and 1828-29.

MAHIM FEES.	SEIZED GOODS and TOBACCO.	COUNTY FUND.	TOWN DUTY, 1 Rupee on Cotton, per Surat Candy, exclusive of Drawback.	Transfer Amount on Company's Cotton, exclusive of Drawback.
5,912 1 92	1,026 1 0	25,785 0 13	42,506 3 26	64,745 0 34
5,418 3 73	306 0 47	14,117 1 2	34,835 1 06	55,522 2 99
—	—	—	—	—
493 2 19	720 0 53	11,667 3 11	7,671 2 20	9,222 1 35
(d)	(e)	(f)	(g)	(h)

  

Tobacco Revenue, exclusive of Drawback.	Total Amount of Customs.	VALUE of the IMPORT TRADE.	VALUE of the EXPORT TRADE.	—
50,291 0 36	13,02,368 1 93	3,71,63,432	2,92,56,415	.. .. 1827-28.
39,294 2 71	11,31,760 1 2	3,75,62,026	3,14,51,856	.. .. 1828-29.
—	7,607 3 89	3,98,594	21,95,441	Increase.
10,996 1 65	1,78,216 0 80	—	—	Decrease.
(n)	1,70,608 0 91	Net Decrease.		

(k) Owing to a less quantity of Cotton imported this year than the last.

(i) In the importation of Grain, and Petty Fees this season.

(j) In consequence of the importation of a greater quantity of Cochineal, Cloves and Copper this year than the last.

(k) Owing to a less quantity of Cotton and Pepper exported by foreign ships this year than the last.

(l) This year there is only one instance of a difference appearing in the Certificate.

(m) In consequence of the collection of Sayer Revenue on Mowrah Arrack being transferred to the Collector of Sea Customs in the Concan, as per order of Government, dated 3d May 1828.

(n) Less quantity of Tobacco issued for the consumption this year than the last.

EXTERNAL  
AND INTERNAL  
COMMERCE.

## UNITED KINGDOM.

(S.)  
Bombay.  
United Kingdom.

5. In former year's Report it is stated that the first adventures from Bombay to the United Kingdom, under the late Acts, took place in 1813-14, and I have now the honour to annex an Abstract View of the Commerce between the two countries during sixteen years since the opening of the trade. The Imports and Exports include the commerce of individuals, and the commanders and officers of the Company's ships, exclusive of the Honourable Company's investments.

						IMPORTS.	EXPORTS.
1813-14	..	..	..	..	..	9,26,980	30,51,543
1814-15	..	..	..	..	..	13,98,653	27,75,891
1815-16	..	..	..	..	..	23,03,295	25,94,675
1816-17	..	..	..	..	..	29,84,586	20,18,463
1817-18	..	..	..	..	..	48,95,198	47,60,004
1818-19	..	..	..	..	..	70,90,236	77,36,155
1819-20	..	..	..	..	..	56,02,508	56,80,608
1820-21	..	..	..	..	..	36,16,219	14,89,728
1821-22	..	..	..	..	..	43,94,208	25,38,395
1822-23	..	..	..	..	..	56,24,719	52,46,502
1823-24	..	..	..	..	..	55,71,313	59,53,859
1824-25	..	..	..	..	..	50,24,043	58,87,881
1825-26	..	..	..	..	..	43,02,425	64,92,462
1826-27	..	..	..	..	..	49,55,872	39,38,817
1827-28	..	..	..	..	..	81,96,939	56,85,923
1828-29	..	..	..	..	..	78,12,484	83,37,672
Rs.						7,46,99,678	7,41,88,578

Value of Trade.

Imports.

6. This most important branch of the trade, on reference to Statement No 5,\* presents this season a decrease to the amount of rupees 3,84,455, including a deficit in Treasure of rupees 8,040, with an increase in Horses of rupees 2,020, leaving in the value of the goods a deficiency of rupees 3,78,435, in the year under discussion. On comparing the Imports from the United Kingdom of the year 1827-28 with the official year 1828-29, although an increase will appear by it on the value of different articles, in the latter season, of rupees 15,88,785, chiefly in the extensive Imports of Wine, Beer, Brandy, Cochineal, Metals and Woollens, which it may be presumed has arisen generally from the greater demand for them, in consequence of the favourable state of the Indian markets, both for consumption and exportation; but at the same time a decrease will appear by the Statement herewith submitted to be more considerable, amounting to rupees 19,67,220, which may be ascribed in some measure to the unfavourable state of the markets, in consequence of the Imports of the preceding year having been carried to an extent beyond all precedent (as stated in paragraph 8 of last year's Report), which

1827-28	..	..	..	81,96,939
1828-29	..	..	..	78,12,484

Decrease .. Rs. 3,84,455

occasioned reduced prices in comparison with what formerly obtained here, the markets having more especially been over-stocked with British Piece Goods. The Imports of Piece Goods in 1827-28, presented an increase beyond the preceding season in rupees 15,25,103, and Printed Cottons, rupees 3,48,045; and in the present official year, 1828-29, a diminution is observable in the former, of rupees 14,65,717, and in the latter, rupees 1,49,357, with others enumerated in the following Statement, showing the extent of the Increase and Decrease of the several articles compared with the preceding year's Imports at this Port; and the fluctuations which may be always expected to occur in so extensive a trade as that carried on with the United Kingdom.

EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.

United Kingdom :  
Imports.

	INCREASE.	DECREASE.
Anchors .. .. .	12,241	—
Beads .. .. .	—	33,171
Beer .. .. .	97,447	—
Brandy .. .. .	67,171	—
Broad Cloth .. .. .	1,96,410	—
Canvas .. .. .	—	47,503
Cochineal .. .. .	64,307	—
Confectionery and Sweetmeats .. .. .	12,906	—
Copper .. .. .	75,739	—
Coral .. .. .	10,009	—
Cotton Yarn and Thread .. .. .	—	1,82,017
Cutlery and Hardware .. .. .	76,879	—
Eatables .. .. .	19,759	—
Glass, Window .. .. .	—	18,965
Jewellery .. .. .	—	14,020
Iron .. .. .	3,60,873	—
Masts .. .. .	10,370	—
Medicines .. .. .	—	10,259
Piece Goods .. .. .	—	14,65,717
Pitch .. .. .	9,326	—
Printed Cottons .. .. .	—	1,49,357
Quicksilver .. .. .	13,879	—
Red and White Lead .. .. .	10,896	—
Spelter .. .. .	—	19,924
Stationery and Books .. .. .	—	26,287
Steel .. .. .	33,029	—
Wine .. .. .	2,86,466	—
Woollens .. .. .	1,43,594	—
Sundries .. .. .	87,484	—
	15,88,785	19,67,220
Deduct Increase .. .. .		15,88,785
Net Decrease .. .. .	Ra.	3,78,435

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EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)

Bombay.

United Kingdom:  
Exports.

7. It will be seen, by referring to Statement No. 6,\* that the Exports to the United Kingdom exhibit, in the total, an increase this season, to the amount of rupees 26,51,749; but although there be an excess of rupees 8,51,891 in the consignment of Treasure, arising probably from the returns made in this way for the increased supply of goods, owing to the unfavourable rates of exchange, showing an increase in the value of Merchandise of rupees 17,99,858, in favour of our trade with the mother country, it is worthy of remark that every article of export, on a comparison of the preceding year, has increased, viz. Cotton, rupees 5,44,790; Raw Silk, rupees 4,53,066; Shawls, rupees 1,61,288; and a variety of other articles particularized in the following Sketch, arising probably from the extended demand and the high price of those articles in the Europe market, extensive consignments of which were made this season to the United Kingdom, as compared with the Exports of 1827-28.

	DECREASE.	INCREASE.
Aloes .. .. .	—	24,702
Camphire .. .. .	—	16,894
Cardamums .. .. .	—	37,695
Cassia .. .. .	—	68,108
Cloves .. .. .	—	18,860
Coffee .. .. .	—	13,380
Coir .. .. .	—	14,388
Cornelians .. .. .	—	12,395
Cotton .. .. .	—	5,44,790
Elephants' Teeth .. .. .	—	91,024
Gums .. .. .	—	1,59,418
Hemp .. .. .	—	20,875
Indigo .. .. .	43,957	—
Mother of Pearls .. .. .	—	14,003
Nankeens .. .. .	—	71,565
Raw Silk .. .. .	—	4,53,066
Rice .. .. .	—	38,100
Shawls .. .. .	—	1,61,288
Timber .. .. .	—	16,762
Tortoise-shells .. .. .	—	23,822
Wine .. .. .	—	12,724
Sundries .. .. .	—	29,956
	43,957	18,43,815
Deduct Decrease .. .. .		43,957
Net Increase .. .. .		Rs. 17,99,858

	Merchandise.	Treasure.
* 1827-28 .. .. .	51,46,682	5,39,241
1828-29 .. .. .	69,46,540	13,91,132
Increase .. .. .	17,99,858	8,51,891

FRANCE.

8. From this quarter the Imports will show an increase of rupees 2,60,659, as a reference to Statement No. 5 will exhibit, consisting chiefly in the extensive import of French Wine, Brandy, with other Europe articles for consumption, which generally find a good market here. The following Statement shows the various articles composing the Increase and Decrease in this trade, contrasted with 1827-28 :

	DECREASE.	INCREASE.
Articles for wearing Apparel .. .. .	16,250	—
Brandy .. .. .	—	31,061
Broad Cloth .. .. .	—	9,909
Cloves .. .. .	18,697	—
Coral .. .. .	9,203	—
Cologne Water .. .. .	—	7,474
Piece Goods .. .. .	25,081	—
Spelter .. .. .	—	20,081
Stationery and Books .. .. .	—	10,416
Wine .. .. .	—	2,37,258
Sundries .. .. .	—	13,691
	69,231	3,29,890
Deduct Decrease .. .. .		69,231
Net Increase .. .. .	Rs.	2,60,659

EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.

France :  
Imports.

9. The Exports to this quarter will be found, by Statement No. 6, to have decreased rupees 1,18,359, including Treasure, rupees 12,960; of which sum, rupees 83,920 consisted of Pepper, being the consignment of the preceding year; Cotton, rupees 14,323; and Sundries, 7,156 rupees. It may not be considered unworthy of remark, that within this period twelve vessels have arrived from Bordeaux and Marseilles; the articles of trade are enumerated in the accompanying Statement; the Imports thence are more numerous and extensive, amounting to rupees 6,32,917; whereas the Exports within the same time amounted only to rupees 59,957. It is somewhat remarkable, that only three vessels cleared out from this Port thither, the remainder having proceeded from hence to Bengal, the Coromandel Coast, Malabar, and Arabian Gulph, probably in the expectation of procuring their homeward cargoes on more favourable terms.

Exports.

HAMBURGH.

10. The Imports from this quarter exhibit a decrease this season of rupees 27,095, as will be seen on reference to Statement No. 5, being the cargo of the English ship, Elizabeth, of the port of London, from Hamburgh. The Imports of the year 1827-28, were also made by the British ship Valleyfield; and there have been no Exports from hence during the present and last season. The articles of Increase and Decrease will

Hamburgh :  
Imports and  
Exports.

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## **EXTERNAL AND INTERNAL COMMERCE.**

will be found contained in the following Sketch, as compared with the Imports of the preceding year :

								INCREASE.	DECREASE.
<b>(3.)</b>									
<b>Bombay.</b>									
<b>Hamburgh :</b>									
<b>Imports and</b>									
<b>Exports.</b>									
Broad Cloth ..	..	..	..	..	..	..	..	—	22,740
Canvas ..	..	..	..	..	..	..	..	—	4,335
Cordage ..	..	..	..	..	..	..	..	2,202	—
Cutlery ..	..	..	..	..	..	..	..	—	1,455
Gin ..	..	..	..	..	..	..	..	1,665	—
Glass-ware ..	..	..	..	..	..	..	..	—	4,128
Iron ..	..	..	..	..	..	..	..	6,210	—
Kerseymerc ..	..	..	..	..	..	..	..	—	6,695
Lead ..	..	..	..	..	..	..	..	—	3,140
Printed Cottons ..	..	..	..	..	..	..	..	—	8,679
Spelter ..	..	..	..	..	..	..	..	4,783	—
Wine ..	..	..	..	..	..	..	..	4,381	—
Sundries ..	..	..	..	..	..	..	..	4,838	—
								24,077	51,172
<b>Deduct Increase .. ..</b>									24,077
<b>Net Decrease .. Rs.</b>									27,095

11. Government Duties on the Imports have been collected at the rate of 3½ per cent. Customs; and on the article of Printed Cottons, 4 per cent. Town Duty, and subject to no advance.

## **BRAZILS.**

### **Brazils :** **Imports and** **Exports.**

12. The Imports from this quarter, on reference to Statement No. 5, show a decrease of rupees 1,14,076; and the Exports, in like manner, have diminished rupees 78,568 as per Statement No. 6, being entirely the consignments of the preceding season 1827-28; no Imports or Exports having been made within the period under review. The English ship, Admiral Benbow, is the only vessel which arrived from the Brazils in ballast this year.

## **MADEIRA.**

### **Madeira :** **Imports and** **Exports.**

13. An increase in the Imports from this island will be seen of rupees 21,045, on reference to Statement No. 5, chiefly from the increased consignment of Madeira Wine this year than in the last; there have been no Exports from hence to that island.

## **SAINT HELENA.**

### **St. Helena :** **Imports and** **Exports.**

14. During the present and the preceding year no Import took place from this quarter. The Exports were very inconsiderable, and consisted of a small shipment of Cotton, to the value of rupees 450, which was sent there for some commercial purpose this year, as reference to Statement No. 6 will exhibit.

CAPE OF GOOD HOPE.

15. The Imports from the Cape, on reference to Statement No. 5, present an increase of rupees 30,227, including the value of Horses, rupees 3,000, exhibiting an excess almost entirely in Wine; and the Exports to this quarter have decreased rupees 2,238, as shown on reference to Statement No. 6, and the articles composing it too small to deserve remark.

ISLES OF FRANCE AND BOURBON.

16. From these islands the Imports have decreased rupees 2,29,478, as will appear by Statement No. 5, chiefly on the articles of its own produce, Cloves, rupees 1,98,184; Sugar, rupees 32,841; and Sundries, rupees 4,253, owing to a larger consignment of Cloves having been made to this Presidency, during the preceding year, than the demand required; but there was a small increase in the import of Brandy, of rupees 5,800, during this season.

17. Our Exports to these islands, on reference to Statement No. 6, will show an inconsiderable increase this season of rupees 7,584; Treasure decreased rupees 15,502, with an increase in Horses of rupees 3,500, producing an excess in the value of Merchandize, of rupees 19,586; Cotton alone fell off rupees 15,200, which was exported last season, and Sundries, rupees 1,472. The increase in the Exports was in the article of Grain, of rupees 36,258, arising from the demand being unusually great in these islands during the present season.

CHINA.

18. This important and valuable branch of commerce will exhibit this season, in the total amount of Imports, a net decrease of rupees 3,87,109, as compared with that of the preceding year, the greatest part of which consisted in Treasure, which fell short of those of the preceding year, to the amount of rupees 6,09,054; and Horses, rupees 3,900; leaving an inconsiderable increase in the value of Merchandize, of rupees 2,25,845 in favour of 1828-29, as reference to Statement No. 5 will demonstrate.\* The decrease above noticed in this trade, may be ascribed probably to the commercial accounts from China being rather unfavourable, owing to the increased demand and the high prices of China produce in that market. The value of Goods, bearing Customs, imported in 1828-9, amounted to upwards of 51 lacs, and that of Treasure, free of Duties, to upwards of 93 lacs; the enormous sum in specie, no doubt, must have been the balance due for Opium, and other Goods left there unsold, when the last Returns were made. On a comparison of the Imports for the years 1827-28 and 1828-29, the value of different articles of Import will appear during the latter season to have increased to upwards of eight lacs, proceeding in a great measure from a somewhat more favourable state of the market here, both for consumption and exportation. On the other hand, a deficiency will

EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.

Isles of France  
and Bourbon:  
Imports.

Exports.

China:  
Imports.

			Merchandize.	Treasure.
• 1827-28	..	..	49,02,462	99,17,753
1828-29	..	..	51,28,707	93,04,699
			<u>2,25,845</u>	<u>6,09,054</u>
			Increase.	Decrease.



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EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.

China :  
Imports.

will appear in this Commerce of upwards of six lacs, owing in a great degree to the diminished Imports from that quarter, and this falling off is attributable, no doubt, to the difficulty of obtaining a return for the Goods exported to that market, which has induced merchants to prefer Treasure to Goods, as being, of the two, the least disadvantageous mode of making his returns. The subjoined Statement will show, under one view, the Increase and Decrease in this trade, compared with the amount of the same articles imported in 1827-28.

									DECREASE.	INCREASE.
Alum	..	..	..	..	..	..	..	..	—	39,258
Brass Leaf	..	..	..	..	..	..	..	..	—	28,424
Cassia	..	..	..	..	..	..	..	..	—	2,90,357
China-ware	..	..	..	..	..	..	..	..	14,137	—
Cochineal	..	..	..	..	..	..	..	..	—	34,972
Copper	..	..	..	..	..	..	..	..	—	1,74,587
False Beads	..	..	..	..	..	..	..	..	10,683	—
Fireworks	..	..	..	..	..	..	..	..	—	53,685
Hartal, Arsenic	..	..	..	..	..	..	..	..	16,725	—
Iron	..	..	..	..	..	..	..	..	1,23,606	—
Lead	..	..	..	..	..	..	..	..	1,04,613	—
Mace	..	..	..	..	..	..	..	..	11,879	—
Nutmegs	..	..	..	..	..	..	..	..	19,852	—
Piece Goods	..	..	..	..	..	..	..	..	—	62,482
Raw Silk	..	..	..	..	..	..	..	..	2,22,301	—
Stationery	..	..	..	..	..	..	..	..	29,648	—
Sugar	..	..	..	..	..	..	..	..	—	13,016
Summerheads	..	..	..	..	..	..	..	..	—	28,203
Tea	..	..	..	..	..	..	..	..	—	1,19,444
Tobacco	..	..	..	..	..	..	..	..	16,679	—
Vermilion	..	..	..	..	..	..	..	..	44,289	—
Sundries	..	..	..	..	..	..	..	..	4,171	—
									6,18,583	8,44,428
									Deduct Decrease	6,18,583
									Net Increase	Rs. 2,25,845

19. It is here proper to observe, that the Report of the year 1827-28 recorded a serious decrease of rupees 8,25,000, upon the cargoes of the late ship Byramgore, of this Port; yet there appears, this year, a further decrease in our Revenue upon the cargoes of the late unfortunate Portuguese brig, Dourado, from Macao, which was wrecked near Singapore; her cargo consisted of dollars, nearly three lacs, and goods about two lacs; bound to this Port.

Exports.

20. The Statement No. 6, for the year 1827-28, exhibits an increase in the exportation to China, to the amount of rupees 29,32,688; that of 1828-29 has, on the contrary, undergone an extraordinary decrease, of rupees 14,44,969, of which sum, rupees 17,600 was on account of Treasure more exported, as also in that of Horses, rupees 1,300; exhibiting a serious diminution in the value of our Exports to China this season, to the extent

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 859

extent of rupees 14,63,869, as will be shown on reference to Statement No. 6,\* a great part of which may be accounted for by the unfavourable state of the Canton markets, principally for the chief article of our trade, Opium, which has decreased rupees 9,07,540; as also in that of Cotton, rupees 8,03,190; the great decline here apparent is attributable to the markets being dull for those articles, and no doubt, from the large shipments of Opium from Demau and the other side of India, which was formerly so advantageous, and generally found to obtain a moderate profit. Notwithstanding, the Exports from hence will appear to have increased upwards of four lacs, in Sandal Wood, Pearls, Shark Fins, &c. These consignments were probably made more this year from the markets here being dull for these articles, than from any positive demand for them in that market. The Increase and Decrease above reported will be found in the following articles, compared with that of 1827-28 :

EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)  
Bombay.  
China :  
Exports.

	INCREASE.	DECREASE.
Cornelians .. .. .	—	53,937
Cotton .. .. .	—	8,03,190
Cotton Yarn, Europe .. .. .	—	16,307
Cow Bezoar .. .. .	—	16,350
Elephants' Teeth .. .. .	—	45,817
Gums .. .. .	17,646	—
Gynda .. .. .	10,516	—
Opium .. .. .	—	9,07,540
Pearls .. .. .	1,07,333	—
Piece Goods .. .. .	—	41,404
Putchuck or Wooplate .. .. .	28,753	—
Sandal Wood .. .. .	2,04,124	—
Shark Fins .. .. .	65,285	—
Sundries .. .. .	—	12,984
	4,33,657	18,97,526
Deduct Increase .. .. .		4,33,657
Net Decrease .. .. .	Rs.	14,63,869

## MANILLA.

21. The Imports from this quarter show an increase this season of rupees 4,12,412, as shown by Statement No. 5, the greatest part of which was in the article of its own produce, Sugar, of rupees 4,06,123; in Sappan Wood, rupees 6,097; and Tobacco, rupees 192, which generally finds a ready sale at this Port, both for shipping and consumption. No import took place from Manilla during the preceding year, nor have Exports been made thither during this and last season. These Imports were made by British

Manilla :  
Imports and  
Exports.

* Merchandize.			
1827-28	..	..	1,37,14,979
1828-29	..	..	1,22,51,110
Decrease	..	..	14,63,869
5 T 2			

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## **EXTERNAL AND INTERNAL COMMERCE.**

(3.)

### **Bombay.**

#### **Penang and the Eastern Islands: Imports.**

British ships. Government Duties were levied at the rate of  $3\frac{1}{4}$  per cent. Customs, and 4 per cent. Town Duty, on the principal article of Sugar, under an advance of 20 per cent., subject to Drawback if exported.

#### **PENANG AND THE EASTERN ISLANDS.**

22. On reference to Comparative Statement No. 5, the Imports from these islands will exhibit an increase of rupees 31,757 Treasury, will appear to have exceeded those of the preceding year in the sum of rupees 1,15,558; and Horses, rupees 850; leaving in the value of Merchandise a decrease of rupees 84,651. At the same time, it will be observed, there is a considerable decrease, to the amount of rupees 2,46,079, compared with the Imports of the former year, chiefly occasioned by a diminished import of Sugar and other Eastern produce, this year than the preceding. The articles on which there was an increase, were Dammer, Tin, Copper, &c. The following articles will show the particulars of the Increase and Decrease from this quarter during 1828-29:

										INCREASE.	DECREASE.
Benjamin	..	..	..	..	..	..	..	..	..	—	40,170
Cauth	..	..	..	..	..	..	..	..	..	—	11,285
Copper	..	..	..	..	..	..	..	..	..	40,939	—
Cubebs	..	..	..	..	..	..	..	..	..	—	11,525
Dammer	..	..	..	..	..	..	..	..	..	12,851	—
Elephants' Teeth	..	..	..	..	..	..	..	..	..	—	18,030
Lakh ..	..	..	..	..	..	..	..	..	..	22,267	—
Pepper	..	..	..	..	..	..	..	..	..	—	13,184
Raw Silk	..	..	..	..	..	..	..	..	..	—	16,478
Sappan Wood	..	..	..	..	..	..	..	..	..	27,815	—
Sugar	..	..	..	..	..	..	..	..	..	—	1,25,195
Timber	..	..	..	..	..	..	..	..	..	—	10,212
Tin	..	..	..	..	..	..	..	..	..	29,746	—
Sundries	..	..	..	..	..	..	..	..	..	27,810	—
										1,61,428	2,46,079
										Deduct Increase .. ..	1,61,428
										Net Decrease .. Rs.	84,651

#### **Exports.**

23. The Exports this season will present a decrease of rupees 1,55,858, including Horses, rupees 8,000, with an increase in Treasury of rupees 305, showing a deficit in our traffic, in Goods, of rupees 1,48,163, owing to extensive Exports of the following articles having been made the preceding year, in consequence of some increased demand which existed, and the present low price in the Eastern markets. Opium is the only article which increased rupees 10,425 this season. The Decrease above noticed are as follows:

Articles for Wearing Apparel	..	..	..	7,097
Piece Goods ..	..	..	..	1,06,590
Printed Cottons	..	..	..	7,540
Saltpetre ..	..	..	..	14,000
Sea-cow, Horse and Horse Teeth	..	..	..	5,628
Sundries ..	..	..	..	8,308
Net Decrease ..	Rs.			1,48,163

BENGAL.

24. This extensive Trade will be found to exhibit a decrease when compared with those of last two preceding years, yet this import is inconsiderable to what its extent was some years since. In 1827-28 was presented a decrease over those of former years of rupees 3,07,886, and in the present official year has also diminished to the amount of rupees 6,15,675, including rupees 1,000 in Horses, producing a net decrease in Merchandize of rupees 6,14,675, from this Presidency, in the year under review, as shown in Statement No. 5. The chief articles of decrease were Grain, Piece Goods, Raw Silks, &c. owing probably to the extensive Imports from other parts, and consequently low prices in this market; but on comparing the Imports with the preceding year, it will appear there is an increase of rupees 2,22,303 in Sugar, Gunnies, Broad Cloth, and Jewellery, in consequence of the two former articles being required for consumption and exportation, which in its Imports generally obtain a moderate profit in this market. The following Statement will show the particulars of the Increase and Decrease in question:

	INCREASE.	DECREASE.
Broad Cloth .. .. .	25,694	—
Grain .. .. .	—	3,24,204
Gunnies .. .. .	64,602	—
Iron .. .. .	—	14,776
Jewellery, Europe .. .. .	22,770	—
Lakh .. .. .	—	31,044
Long Pepper .. .. .	—	10,636
Piece Goods .. .. .	—	3,41,452
Raw Silk .. .. .	—	69,504
Sugar .. .. .	1,09,237	—
Sundries .. .. .	—	45,362
	2,22,303	8,36,978
Deduct Increase .. .. .	.. ..	2,22,303
Net Decrease .. .. .	Rs. ..	6,14,675

25. Our Exports to Bengal continue, as last year, to show a decrease. The Statement No. 6, for the preceding year, exhibited a decrease of rupees 90,675; by the same document will appear this season a deficiency of rupees 1,42,674. Treasure gives an increase of rupees 10,600, and Horses 14,200 rupees; Merchandize suffered a diminution of rupees 1,67,474. The Bengal market having been overloaded, the exporters no longer find the same advantage they formerly did, which may reasonably account for the diminished Export in this trade. There will appear, however, an increase of rupees

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Bengal :  
Exports.

rupees 1,10,664 in different articles; these consignments were probably made more from the markets here being dull, than that there existed a demand for them in that market. The following Statement will show the Increase and Decrease above noticed :

	INCREASE.	DECREASE.
Alum .. .. .	27,280	—
Cotton .. .. .	—	64,625
Cotton Yarn, Europe .. .. .	—	15,302
Ghee .. .. .	—	10,465
Glass, Window .. .. .	18,175	—
Lamita .. .. .	12,300	—
Pepper .. .. .	21,305	—
Piece Goods .. .. .	—	1,35,675
Printed Cottons .. .. .	—	40,156
Salt .. .. .	12,857	—
Seeds .. .. .	—	11,915
Sundries .. .. .	18,747	—
	1,10,664	2,78,138
Deduct Increase .. .. .		1,10,664
Net Decrease .. .. .	Rs.	1,67,474

## COAST OF COROMANDEL.

Coast of  
Coromandel :  
Imports.

26. From this coast the Imports will be found to have decreased, rupees 10,675, as appears by the accompanying Statement No. 5, but at the same time there will appear an increase of rupees 44,381, chiefly in the value of Madras Piece Goods, of rupees 39,793; and Lakh, rupees 4,588; arising from the increased demand for them in this market. The diminished Import was rupees 55,056. Cloves alone fell off, rupees 29,890, with a few other trifling articles, in extent so very limited as scarcely to deserve notice.

Exports.

27. Statement No. 6 presents an increase in the Exports to this quarter of rupees 9,442. In Horses there has been an increase of rupees 10,000, leaving in Merchandize an insignificant decrease of rupees 558. On a comparison of the Exports of 1827-28 with 1828-29, there will appear, during the latter season, an increase of several articles, of rupees 69,496, owing to a greater demand this season on that coast. On the other hand, a decrease of rupees 68,938 will be observed in this commerce, chiefly occasioned in consequence of low price, and owing to a limited demand in that market. The following Statement will show the Increase and Decrease above alluded to :

									INCREASE.	DECREASE.
Dates	..	..	..	..	..	..	..	..	15,891	—
Eatables	..	..	..	..	..	..	..	..	—	8,683
Grain	..	..	..	..	..	..	..	..	26,165	—
Iron ..	..	..	..	..	..	..	..	..	8,437	—
Pepper	..	..	..	..	..	..	..	..	11,890	—
Piece Goods	..	..	..	..	..	..	..	..	7,113	—
Raw Silk	..	..	..	..	..	..	..	..	—	47,799
Tea ..	..	..	..	..	..	..	..	..	—	12,078
Sundries	..	..	..	..	..	..	..	..	—	1,494
									69,496	70,054
Deduct Increase .. ..										69,496
Net Decrease .. Rs.										558

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(S.)  
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Coast of  
Coromandel :  
Exports.

#### CEYLON.

28. The Imports from this island, alluded to in Statement No. 5, present an increase of rupees 97,823, occasioned chiefly in the article of its own produce, Coffee, of rupees 83,233; Sugar, rupees 7,846; and Sundries, rupees 6,744. The Commerce from this quarter continues to improve. The value of Coffee, in 1827-28, was rupees 48,811; but this year exhibits a more extensive Import, to the amount of rupees 1,32,044; and nearly the whole consignments were shipped for the Europe markets, with some advantageous sale.

Ceylon :  
Imports.

29. In like manner the Exports to this island have increased rupees 81,156. On reference to Statement No. 6, in Horses, will show a decrease of rupees 1,900. In Merchandize, producing an increase of rupees 83,056 within the present season. Piece Goods was the only article which diminished, rupees 40,973; for the article has not of late been much in demand, and prices generally lower, from the great import of British Piece Goods in that market. There has been a large increase in our Exports, of rupees 1,24,029, of which Grain alone was valued at rupees 52,073; Wine, rupees 16,294; Eatables, rupees 16,058; and rupees 39,604 in various other articles of inferior value, for the consumption, owing to some scarcity and the demand being greater than usual in that Island during the present season.

Exports.

#### MALABAR AND CANARA.

30. There appears an increase in the Imports from these Provinces, of rupees 1,15,136: in Treasure have diminished rupees 35,780, leaving an excess in Goods, of rupees 1,50,916, as a reference to Statement No. 5 will show; but a comparison of the Imports with the articles of the preceding year there will exhibit an increase, though more extensive from this quarter, of rupees 8,85,131. The increase was upon the article Sandal Wood, of rupees 3,42,295; Cotton, rupees 2,51,788, and various other valuable items

Malabar and  
Canara :  
Imports.

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Canara :  
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items of Imports from this quarter, owing to the favourable state of the markets here, for exportation and consumption. Notwithstanding, a defalcation will be observed in this trade of upwards of seven lacs, principally in the articles of Copra, Grain, Piece Goods, &c. occasioned by a fall of price, and owing to a less demand for them in this market, from the great importation from other countries. The articles of Increase and Decrease above reported, will be found contained in the following Sketch :

	DECREASE.	INCREASE.
Beetle-nut .. .. .	—	48,898
Chilly .. .. .	—	13,367
Cocoa-nuts .. .. .	40,579	—
Coir .. .. .	—	31,759
Copra .. .. .	1,85,339	—
Cotton .. .. .	—	2,51,738
Ghee .. .. .	87,818	—
Ginger .. .. .	66,557	—
Grain .. .. .	1,17,161	—
Oil .. .. .	14,317	—
Pepper .. .. .	—	10,878
Piece Goods .. .. .	2,22,444	—
Sandal Wood .. .. .	—	3,42,295
Shark Fins .. .. .	—	12,227
Sugar .. .. .	—	42,282
Timber .. .. .	—	1,07,403
Turmeric .. .. .	—	23,243
Sundries .. .. .	—	991
	7,34,215	8,85,131
Deduct Decrease .. ..		7,34,215
Net Increase .. ..	Rs.	1,50,916

Exports :

31. The Exports to these Provinces, on reference to Statement No. 6, will be seen to have also increased to the amount of rupees 2,30,189, of which sum Treasure was rupees 30,608; and Horses were more considerable, of rupees 1,13,400; this consignment, understood to have arisen from the increased demand for them at that coast this season, exhibiting an increase in Merchandize of rupees 86,181; but on comparing the value of Exports of the present with that of the preceding year, there appears to be an increase in the different articles of our Exports of rupees 2,29,432, which may be attributed to the favourable state of the markets on the coast. On the other hand, a diminished Export will appear, of rupees 1,43,251, in consequence, it is believed, of the markets having been dull, and the supply rather abundant. The following Statement constitutes the Increase and Decrease in question:

									DECREASE.	INCREASE.
Articles for Wearing Apparel	..	..	..	..	..	..	..	..	—	10,734
Beer	..	..	..	..	..	..	..	..	—	7,905
Brandy	..	..	..	..	..	..	..	..	—	10,503
Broad Cloth	..	..	..	..	..	..	..	..	—	14,262
Camphire	..	..	..	..	..	..	..	..	—	5,698
Copper	..	..	..	..	..	..	..	..	—	28,468
Cotton	..	..	..	..	..	..	..	..	—	11,615
Cutlery	..	..	..	..	..	..	..	..	—	5,819
Eatables	..	..	..	..	..	..	..	..	—	5,343
Hing	..	..	..	..	..	..	..	..	13,989	—
Iron ..	..	..	..	..	..	..	..	..	—	18,915
Opium	..	..	..	..	..	..	..	..	—	16,500
Piece Goods	..	..	..	..	..	..	..	..	89,534	—
Printed Cottons	..	..	..	..	..	..	..	..	—	9,098
Raw Silk	..	..	..	..	..	..	..	..	10,630	—
Shawls	..	..	..	..	..	..	..	..	—	17,407
Spelter	..	..	..	..	..	..	..	..	12,489	—
Stationery and Books	..	..	..	..	..	..	..	..	16,609	—
Sugar	..	..	..	..	..	..	..	..	—	22,263
Wine	..	..	..	..	..	..	..	..	—	15,793
Sundries	..	..	..	..	..	..	..	..	—	29,109
									1,43,251	2,29,432
									Deduct Decrease ..	1,43,251
									Net Increase .. Rs.	86,181

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Malabar and  
Canara :  
Exports.

GOA, DEMAUN AND DIU.

32. From this quarter will be seen, on reference to Statement No. 5, that the imports have increased rupees 55,275; in Treasure there was a decrease of rupees 14,422, leaving an excess in Merchandize of rupees 69,697. The Imports in Cloves were by far the most considerable, of rupees 1,07,755; and Sundries, rupees 15,980. The increased Import of Cloves was made by a Portuguese ship here, no doubt the produce of Eastern Islands, and arises from the article finding its way to this Presidency, in consequence of its not having been saleable at the port to which it is usually consigned, and meeting here with a ready market for exportation; but the Imports in Cocoa-nuts fell off rupees 54,038, owing to a less quantity, and low price in the market.

Goa, Demaun,  
and Diu :  
Imports.

33. To this quarter the Exports will shew an increase of rupees 9,909, as per Statement No. 6, of which sum Treasure was rupees 945, and Horses rupees 300; leaving in Goods, the sum of rupees 8,664. The chief article of increase was Copper, rupees 10,926; Sugar, 20,497; and Broad Cloth, rupees 3,877. The articles of decrease amounted to rupees 26,636, consisting of Grain, Tea, Eatables, Spelter and Wine, less exported this season than in the preceding.

Exports.



**EXTERNAL  
AND INTERNAL  
COMMERCE.**

**CUTCH AND SCIND.**

(3.)

Bombay.

Cutch and Scind:  
Imports.

Exports.

34. The value of the Import Trade from these countries, as specified in Statement No. 5, exhibits an increase, of rupees 1,53,843, including Treasure, rupees 5,290. In Horses there has been less, rupees 98,460; showing, in the value in Goods, an increase to the extent of rupees 2,47,013, occasioned chiefly by the Imports therefrom being more in Cotton, rupees 2,68,138; Ghee, rupees 1,10,369; and Sundries, 1,230, which generally obtains an advantageous sale in this market; however, a decrease will appear from this quarter, of rupees 1,32,724; in the diminished import of Grain, rupees 58,422; Elephants' Teeth, rupees 38,212, and various other articles, proceeding from the prices having materially fallen here, owing to the extensive importation from other quarters.

35. On reference to Statement No. 6, a decrease of rupees 2,16,583 will appear in the Exports to this quarter during this season, of which rupees 39,100 consisted of Treasure, and Horses 100 rupees; in Merchandize there exhibits a decrease of rupees 1,77,883; in the single article of Piece Goods, a deficiency is observable of rupees 2,00,326, owing probably to the demand being unusually great in those countries during the preceding year, and the markets being, in consequence, overloaded with British Piece Goods, which caused a diminution in the present season. By the same document will be perceived an increase of rupees 1,19,494, chiefly in Iron, Cotton Yarn, Copper, &c. proceeding from the articles having become rather scarce, and the prices having increased in the interior of those countries at the time. The Increase and Decrease here reported will be found in the following Statement:

	INCREASE.	DECREASE.
Cardamums .. .. .	9,820	—
Cochineal .. .. .	7,717	—
Cocoa-nuts .. .. .	—	8,172
Copper .. .. .	18,915	—
Cotton Yarn, Europe .. .. .	25,371	—
Gunnies .. .. .	9,562	—
Jagree .. .. .	—	13,033
Iron .. .. .	25,845	—
Lead .. .. .	—	18,556
Piece Goods .. .. .	—	2,00,326
Printed Cottons .. .. .	8,029	—
Raw Silk .. .. .	—	5,233
Spelter .. .. .	7,213	—
Steel .. .. .	7,022	—
Sugar .. .. .	—	51,528
Sundries .. .. .	—	529
	1,19,494	2,97,377
Deduct Increase ..		1,19,494
Net Decrease .. Rs.		1,77,883

PERSIAN GULF.

36. From the Persian Gulf the Imports will exhibit a considerable increase this season, to the amount of rupees 13,05,524, as appears by the accompanying Statement No. 5. The Imports in Specie were by far the most extensive, which show an increase beyond the preceding, of rupees 8,38,129. In Horses there has been a decrease of rupees 1,03,750, owing to the demand being less, in consequence of the large consignments of the preceding year to this market; exhibiting in the value of Goods an increase of rupees 5,71,145, arising principally on account of a very extensive Importation therefrom of Raw Silk, of rupees 3,97,874; Dates, rupees 1,16,077; Copper, old, rupees 1,06,451; and Sundries, rupees 11,367, owing to the favourable state of the markets here; whilst, on the other hand, a decrease will be perceived from this quarter of rupees 60,624, in Diamonds, Hing, and Lamita, attributable entirely to a diminution of these articles during the present season.

37. An increase in the Exports to the Persian Gulf will be seen, on reference to Statement No. 6, to the amount of rupees 11,46,099, including a large consignment of Treasure, rupees 1,09,084, which was shipped to Muscat for some commercial purpose: it leaves an increase in Merchandize of rupees 10,37,015. (Last year's Report presented a considerable decrease in the General Exports to this quarter, of rupees 8,25,646, in the diminished Export of Piece Goods and Shawls, owing to the markets in the Gulf being overstocked with those articles.) The increase above stated is occasioned by an extensive consignment having been made this year of Europe Piece Goods, Cashmere Shawls, Sugar, Cardamums, Cassia, Coffee, Pepper, with various other valuable articles of Exports, owing to the demand being great, and in consequence of the favourable state of the Persian markets; whereas a deficit will be observed in this trade, of rupees 2,99,034; in the single article of Grain, to the amount of rupees 2,04,694, which was exported last season, in consequence of great scarcity, and consequent high prices of Grain in the interior, for the consumption of those markets: the remainder was comprised of Indigo, Lead, and Printed Cottons, of which less were exported in this than the last. The following sketch shows the articles composing the Increase and Decrease in this trade:

	DECREASE.	INCREASE.
Broad Cloth .. .. .	—	10,575
Cardamums .. .. .	—	47,589
Cassia .. .. .	—	85,701
China-ware .. .. .	—	10,895
Coffee .. .. .	—	63,742
Cotton Yarn, Europe .. .. .	—	33,979
Grain .. .. .	2,04,694	—
Indigo .. .. .	46,740	—
Iron .. .. .	—	42,466
Lakh .. .. .	—	18,810
Lead .. .. .	21,289	—
Pepper .. .. .	—	86,522
Piece Goods .. .. .	—	2,85,572
Printed Cottons .. .. .	26,311	—

5 U 2

(continued.)

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(3.)  
Bombay.

Persian Gulf:  
Imports.

Exports.



39. The Exports, on reference to Statement No. 6, present an increase of rupees 1,45,855, inclusive of Treasure, rupees 28,280 ; in Merchandize there exhibits an increase of rupees 1,17,575. Taking a comparative view of our Exports from hence, in this and in the last year, an increase of rupees 2,04,434 will appear on the several articles of Export during the former, owing entirely to the diminished consignments of the preceding year, and present demand in that quarter. Although there appears a decrease in the single article of Grain, of rupees 86,859, in consequence of less demand, and consequent low price in those markets. The increase and decrease are as follows :

	DECREASE.	INCREASE.
China-ware .. .. .	—	10,047
Grain .. .. .	86,859	—
Iron .. .. .	—	21,066
Pepper .. .. .	—	21,030
Piece Goods .. .. .	—	99,753
Shawls .. .. .	—	23,915
Tobacco .. .. .	—	15,583
Sundries .. .. .	—	13,040
	86,859	2,04,434
Deduct Decrease .. .. .		86,859
Net Increase .. .. .	Rs.	1,17,575

#### COAST OF AFRICA.

40. From the African Islands the Imports, on reference to Statement No. 5, exhibit an increase this season of rupees 97,482, almost entirely in the excess of Treasure of rupees 96,849, leaving an insignificant increase in Merchandize of rupees 633; but on examination of this trade with the preceding year, there will appear an increase of rupees 37,622, chiefly upon the value of Rhinoceros' Horn, Sea Cows, Myrrh and Wine; whilst a deficiency at the same time will appear, of rupees 36,989, in the diminished import of Cloves, Elephants' Teeth, Gum Copal, and other trifling articles from this quarter season.

41. With reference to Statement No. 6, the Exports will show an increase of rupees 79,070, including Treasure, rupees 4,600; in Merchandize exhibits an increase of rupees 74,470; but on comparing the year 1827-28 with that of 1828-29, there will be observed a more extensive increase in the several articles of our Exports, amounting to rupees 1,02,386; the excess was in Piece Goods, of rupees 69,036; Iron, rupees 14,625; Brass Work, rupees 9,196; and Sundries, rupees 9,529, occasioned by extensive consignments having been made this season to the different African Ports, from the increased demand, with some chance of gain. The articles of decrease only amounted to rupees 27,916; in Grain, rupees 20,572, and Cotton, rupees 7,344; this may in a great degree be attributed to the high prices which were obtained in those markets during the preceding season.

EXTERNAL  
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(3.)

Bombay.

Arabian Gulf:  
Exports.

Coast of Africa :  
Imports.

Exports.

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COMMERCE.

AMERICA.

(3.)  
Bombay.  
America :  
Imports.

Exports.

42. The cause of the very limited extent of the trade lately carried on between this Presidency and the United States of America, must be too apparent to require any remark from this office. In the Statements herewith submitted, it will be found that the total of this commerce, in 1827-28, was rupees 16,613; in 1828-29, rupees 14,617, which leaves a deficit in the latter season, of rupees 1,996; which sum includes Treasure, rupees 1,142, and in Merchandize, rupees 854, as will appear on reference to Statement No. 5.

43. The Exports to this quarter in like manner have decreased, rupees 6,813, being entirely the consignments of the preceding year, as per Statement No. 6, no Exports to America having taken place during the year 1828-29. It may not be considered unworthy of remark, that the vessel which arrived from America, cleared out direct from this Port to Penang and the Eastern Islands, in the expectation of procuring cargoes, &c. there on more favourable terms for that market.

## SUBORDINATES:

PANWELL AND THE CONCAN.

Subordinates :  
Panwell and the  
Concan ;  
Imports.

44. The total Imports from Panwell and the Concan will show this season an increase to the amount of rupees 6,21,048, as specified in Statement No. 5. The Imports in specie were by far the most considerable, exceeding the preceding year in rupees 8,06,789; in Horses there was a decrease of rupees 10,700, leaving in the value in Merchandize a defalcation of rupees 1,75,041, during the present season. But on comparing the Imports of 1827-28 and 1828-29, there will exhibit a decrease in the latter season of rupees 2,71,899; the chief item was Grain, rupees 1,66,416; and several other articles, which would appear to have been imported here in less quantities this year, from the abundant supplies from other quarters, and the prices having materially fallen in this Presidency. There are others which at the same time have increased, rupees 96,858, arising, in all probability, from the articles being required for the consumption of this market. The subjoined Sketch will exhibit the increase and decrease, as compared with the Imports of the preceding year:

								INCREASE.	DECREASE.
Arrack	..	..	..	..	..	..	..	36,344	—
Bale Lashings	..	..	..	..	..	..	..	—	29,445
Cotton	..	..	..	..	..	..	..	—	12,728
Ghee	..	..	..	..	..	..	..	—	9,515
Grain	..	..	..	..	..	..	..	—	1,66,416
Hemp	..	..	..	..	..	..	..	20,733	—
Jagree	..	..	..	..	..	..	..	39,781	—
Rafters	..	..	..	..	..	..	..	—	33,488
Sundries	..	..	..	..	..	..	..	—	21,307
								96,858	2,71,899
								Deduct Increase	96,858
								Net Decrease ..	Rs. 1,75,041

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45. Our Exports, on the contrary, have decreased during the present season to the amazing sum of rupees 13,75,853; the greatest part of which consisted of Treasure less exported, to the amount of rupees 9,45,833, it is believed, in consequence of a great fall of grain at this Presidency; and in Horses it has increased, rupees 83,625, owing to the great demand and high prices in the interior; the value of Merchandize has been reduced, to the amount of rupees 5,13,645; but on a comparison of the several articles of Exports in this with the preceding year, the decrease would appear, though more extensive, of rupees 9,46,731, which may be ascribed to the Exports of the preceding year having been carried to a greater extent than there existed a demand for in these markets. However, an increase will present itself this year, of rupees 4,33,086, on the amount of various articles of trade, arising generally from the greater demand for them in the present season. The following Statement exhibits the increase and decrease above noticed:

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Subordinates:  
Panwell and the  
Concan;  
Exports.

	INCREASE.	DECREASE
Arrack .. .. .	11,873	—
Articles for Wearing Apparel .. .. .	—	20,869
Beads .. .. .	—	15,050
Beer .. .. .	—	23,995
Broad Cloth .. .. .	37,339	—
Copper, Old .. .. .	26,885	—
Copra .. .. .	—	36,019
Coral .. .. .	—	28,687
Dates .. .. .	—	22,880
Eatables .. .. .	—	18,825
False Beads .. .. .	—	25,890
Hing .. .. .	—	10,770
Jewellery, Country .. .. .	—	1,49,262
Iron .. .. .	11,850	—
Lead .. .. .	—	18,457
Mace .. .. .	—	11,217
Nankeens .. .. .	—	18,688
Nutmega .. .. .	—	15,310
Pearls .. .. .	1,77,158	—
Pepper .. .. .	11,933	—
Piece Goods .. .. .	1,33,110	—
Raw Silk .. .. .	—	2,88,748
Shawls .. .. .	—	38,090
Spelter .. .. .	—	11,344
Stationery and Books .. .. .	—	18,770
Sugar .. .. .	—	49,450
Tea .. .. .	11,093	—

(continued.)

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## EXTERNAL AND INTERNAL COMMERCE.

(continued.)

									INCREASE.	DECREASE.
(3.)										
Bombay.									11,845	—
Timber .. .. .									—	15,841
Tin .. .. .									—	51,827
Subordinates: Wine — .. .. .									—	56,742
Panwell and the Sundries .. .. .									4,33,086	9,46,731
Concan ;										
Exports.										
Deduct Increase .. ..										4,33,086
Net Decrease .. .. Rs.										5,13,645

## SURAT.

### Surat : Imports.

46. The Imports continue, as in last year, to fall off in the net amount of rupees 7,29,255; in Merchandize, 2,51,585; and Treasure, rupees 4,77,667, as a reference to Statement No. 5 will exhibit. A decrease in several of the principal articles will be seen on a comparison of 1827-28 and 1828-29, of rupees 2,97,714; which will be found to have fallen chiefly in the article of Cotton, rupees 2,69,617; and Sundries, rupees 28,097, occasioned by a less quantity being imported this season than the last. There was an increase, of rupees 46,129, in Indigo, Gold Lace, Grain, &c. for the consumption of this market. The following is the increase and decrease in this trade during the present season:

									INCREASE.	DECREASE.
Brass Work .. .. .									5,947	—
Cotton .. .. .									—	2,69,617
Gold Lace .. .. .									8,408	—
Grain .. .. .									3,532	—
Indigo .. .. .									21,118	—
Piece Goods .. .. .									—	4,805
Raw Silk .. .. .									—	7,032
Rus Camphire .. .. .									7,124	—
Sundries .. .. .									—	16,260
									46,129	2,97,714
Deduct Increase .. ..										46,129
Net Decrease .. .. Rs.										2,51,585

### Exports.

47. Statement No. 6 will also present, in the Exports, a serious decrease, amounting on the whole, to rupees 4,57,548, including Treasure, rupees 85,103, and Horses, rupees 3,625, leaving a deficiency in Merchandize, of rupees 3,68,820. The articles on which there was decrease were Piece Goods, of rupees 1,56,109; Raw Silk, rupees 87,725; Elephants' Teeth, rupees 40,259; and different other articles, owing to a less demand,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 878

and prices rather low in that market. Notwithstanding, an excess will be seen, of rupees 86,655 in the several articles of Exports, in consequence of some increased demand for them during the present season. The following articles formed the Increase and Decrease in question :

	INCREASE.	DECREASE.
Articles for Wearing Apparel .. .. .	—	17,477
Beetle-nut .. .. .	13,663	—
Broad Cloth .. .. .	10,379	—
Copper .. .. .	19,712	—
Ditto, Old .. .. .	24,800	—
Cotton Yarn, Europe .. .. .	—	33,167
Elephants' Teeth .. .. .	—	40,259
Jewellery, Country .. .. .	—	31,916
Pearls .. .. .	—	36,059
Piece Goods .. .. .	—	156,109
Quicksilver .. .. .	18,101	—
Raw Silk .. .. .	—	87,725
Sundries .. .. .	—	52,763
	86,655	455,475
Deduct Increase .. ..	.. ..	86,655
Net Decrease .. ..	.. Rs.	3,68,820

## GUZERAT.

48. From this Province the Imports appear this season to have suffered in their ultimate amount rupees 7,55,976, as exhibited in the Statement No. 5, of which sum rupees 21,578 were on account Treasury; and Horses, rupees 37,200, leaving a deficiency in the value of Merchandise of rupees 6,97,198 in 1828-29; but on comparing the value of the Imports from this quarter for the years 1827-28 and 1828-29, the decrease would hence appear to have been more serious in the several articles of rupees 13,55,762: the deficiency fell chiefly in the principal article of its own produce, Cotton, of rupees 10,82,350 (the Report for the year 1827-28, under this head, had to record an increase of above 23 lacs), which partly may be ascribed to the lateness of the crop and less produce, and partly to the violence of the weather having put a stop to the Boat-trade at an earlier period than usual, in consequence of which, a large proportion of Cotton, intended for the Presidency, remained to the Northward. Notwithstanding, an increase will be observed in this commerce of rupees 6,58,564, of which Cashmere Shawls are the only ones deserving notice, of rupees 5,00,737, with the other articles for the consumption of this market. The increase in Shawls arises probably in consequence of the diminished Imports of the preceding year, but in a great measure is ascribable to the favourable state of the market of this Presidency of late; from the article of Shawls having been in demand for the Europe market, the total value of that consignment during the present season amounted to rupees 3,27,835, as exhibited in Statement No. 4. The following sketch will exhibit the particulars of Increase and Decrease above alluded to, contrasted with the Imports of 1827-28 :

## EXTERNAL AND INTERNAL COMMERCE.

(3.)  
Bombay.

Subordinates:  
Surat :  
Exports.

Guzerat.  
Imports.



# 874 THIRD APPENDIX TO THE THIRD REPORT OF THE

## EXTERNAL AND INTERNAL COMMERCE.

								INCREASE.	DECREASE.
(3.)	Cornelians	..	..	..	..	..	..	—	1,27,189
Bombay.	Cotton	..	..	..	..	..	..	—	10,82,350
	Elephants' Teeth	..	..	..	..	..	..	—	15,306
Subordinates:	Ghee	..	..	..	..	..	..	37,102	—
Guzerat ;	Grain	..	..	..	..	..	..	49,695	—
Imports.	Jagree	..	..	..	..	..	..	13,938	—
	Indigo	..	..	..	..	..	..	—	40,325
	Oil	..	..	..	..	..	..	—	27,027
	Piece Goods	..	..	..	..	..	..	—	36,401
	Putchuck	..	..	..	..	..	..	22,189	—
	Seeds	..	..	..	..	..	..	—	27,164
	Shawls	..	..	..	..	..	..	5,00,737	—
	Tobacco	..	..	..	..	..	..	27,881	—
	Sundries	..	..	..	..	..	..	7,022	—
								6,58,564	13,55,762
								Deduct Increase .. ..	6,58,564
								Net Decrease .. .. Rs.	6,97,198

## Exports.

49. Statement No. 6, presents an ultimate increase in the Exports to this Province, to the amount of rupees 11,28,327, of which sum the consignments in Treasure were by far the most considerable, of rupees 13,80,337, which offered a more favourable remittance to the Northern Ports of Guzerat for the articles of Cotton ; and Horses, rupees 2,200, exhibiting a decrease in our Exports in Merchandize rupees 2,54,210, within the present season ; but on comparing the Exports of the preceding year with that of 1828-29, there will be seen several articles to have decreased this year, to the extent of rupees 7,81,197, occasioned in the diminished Exports of Cocoa-nuts, Piece Goods, Raw Silk, and various other articles, in consequence of the prices having materially fallen in those countries. On the other hand, an increase will be seen, to the amount of rupees 5,26,987, chiefly in the articles of Cotton Yarn, Cochineal, Copper, Iron, Wine, and other different articles of Exports, which, it may be presumed, has arisen generally from the greater demand for them in Guzerat. The following Statement will show the articles of Increase and Decrease in this trade, compared with the Exports of the year preceding it :

								INCREASE.	DECREASE.
Almonds	..	..	..	..	..	..	..	—	16,219
Alum	..	..	..	..	..	..	..	—	14,351
Betel-nut	..	..	..	..	..	..	..	—	41,086
Cassia	..	..	..	..	..	..	..	21,594	—
Cloves	..	..	..	..	..	..	..	—	58,202
Cochineal	..	..	..	..	..	..	..	82,744	—
Cocoa-nuts	..	..	..	..	..	..	..	—	1,40,739
Copper	..	..	..	..	..	..	..	83,957	—

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 875

(continued.)

	INCREASE.	DECREASE.
Copper, Old .. .. .	50,785	—
Copra .. .. .	—	15,596
Cotton Yarn, Europe .. .. .	1,07,610	—
Earthenware .. .. .	11,280	—
Elephants' Teeth .. .. .	—	63,879
Grain .. .. .	—	32,888
Gunnies .. .. .	12,087	—
Jewellery, Country .. .. .	28,000	—
Iron .. .. .	84,060	—
Lead .. .. .	—	21,982
Piece Goods .. .. .	—	1,50,031
Raw Silk .. .. .	—	1,24,838
Spelter .. .. .	—	35,685
Sugar .. .. .	10,410	—
Tin .. .. .	—	19,916
Tortoise-shells .. .. .	—	16,900
Wine .. .. .	34,460	—
Sundries .. .. .	—	28,885
	5,26,987	7,81,197
Deduct Increase .. .. .	—	5,26,987
Net Decrease .. .. .	Rs.	2,54,210

EXTERNAL  
AND INTERNAL  
COMMERCE.

(3.)

Bombay.

Subordinates :  
Guzerat ;  
Exports.

Bombay,  
Office of Reporter General  
on External Commerce,  
31 October 1829.

(Signed)

P. V. DOVETON,  
Reporter General.



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TO THE

## THIRD APPENDIX.

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*N.B.*—The Paper to which this Index refers is divided into Three Heads; viz. The Presidencies of *Bengal*, *Madras*, and *Bombay*. The Paragraphs under each head are numbered in distinct series, commencing with 1. In the Index the *Figures* subjoined to the name of the Presidency refer to the Page where the subject relating to that Presidency begins; all others to the Paragraphs under the same head.

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# **FOURTH APPENDIX**

**TO THE**

## **THIRD REPORT**

**FROM THE**

**SELECT COMMITTEE OF THE HOUSE OF COMMONS,**

**AND**

## **MINUTES OF EVIDENCE**

**ON THE**

**AFFAIRS OF THE EAST-INDIA COMPANY.**

**17th FEBRUARY to 6th OCTOBER 1831. •**





# LIST.

COPIES or EXTRACTS of all DESPATCHES sent to INDIA by the COURT of DIRECTORS, since the passing of the Act 53 Geo. III. c. 155, relative to the continuance and administration of the OPIUM MONOPOLY; and of the Proceedings had thereupon.

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## FOURTH APPENDIX.

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### ADMINISTRATION OF MONOPOLIES. OPIUM AND SALT.

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(Secret.—Salt, Opium, &c.)

No. 1.

ADMINISTRATION  
OF MONOPOLIES.

Opium.

DESPATCH from the Secret Committee of the Directors of the East-India Company to the Right Honourable the Governor-General in Council, at Fort William, in Bengal, dated 10th May 1816.

Para. 1. Our last Despatch from this Department was dated the 30th April 1816.

2. We are now about to reply to the Letter addressed by Mr. Secretary Trotter to our late Secretary, dated the 26th July 1814, transmitting copy of your correspondence with the Acting Resident at Fort Marlborough and the Company's Advocate-General, on the subject of Opium.

3. The revenue derived from Opium and Salt which, at different times, has been realized by different means, has always been of so great importance that we entirely approve of the attention which you have paid to this subject. It certainly never was the intention of the Legislature, in opening the trade with India to the public at large, to endanger a revenue of about £2,000,000 sterling per annum.

4. The interpretation given by Mr. Stretell to the 6th section of the 53d Geo. III. c. 155, in his letter of the 19th July 1814, is confirmed by the opinion of the highest legal authorities in this country, we are advised by the above-mentioned authorities, that we cannot, consistently with the provisions of the Act above referred to, *prohibit* the importation of Turkey Opium into our territories; but that it is competent for us to impose such a duty on the importation of Opium, as shall protect the revenue derivable from that article against the injury which it would sustain from the supply of the same article of foreign growth, at the present rate of duty.

6 A

5. Under

**Opium.**

5. Under the provision contained in the 53d George III. c. 155, s. 25, all regulations for imposing any new or additional duties upon the export, import or transit of goods in the Company's territories framed in India, must be transmitted for the approbation and sanction of the authorities at home, previously to their promulgation. We accordingly direct you forthwith to prepare and transmit to us a regulation, imposing such a duty on the importation of foreign Opium into any of the Ports and Settlements under your Presidency, as shall operate as a protection to our Opium Revenue, by which regulation it should be provided that the Merchants shall be at liberty to deposit such Opium in the warehouses of the Government, previously to the payment of the duty; but that no such Opium shall be removed from thence until the duty be paid.

6. The price of the best Turkey Opium in the London market is at present 13s. per lb., free of duty; and under the Bonding Act, it may be imported here, and afterwards exported without paying any duty.

7. It being quite clear that the China Trade is reserved exclusively to the Company by virtue of the 53d George III. c. 155, s. 2, no British subject can trade thither without the license of the Company in its commercial capacity. The Company have therefore an indubitable right to withhold a license to carry Turkey Opium, or any other article to China.

8. The 54th George III. c. 34, s. 2, has reserved to the Government in India the power to frame such regulations, provisions and restrictions for the conduct of the trade from port to port in India, as may from time to time be deemed expedient; so that the importation and exportation of Opium in the country trade may be legally interdicted.

9. It is not in our power to prevent, nor can the British Legislature prevent Turkey Opium from being carried to the Eastern Isles and to China, because though the trade in that article were altogether prohibited to British subjects, it would still be open to foreign nations to engage in it. We desire, however, that you will watch the progress and course of this trade, and report to us from time to time your information and sentiments respecting it.

10. Under the 53d George III. c. 155, s. 6, *Salt* may be legally exported from this country to India; and as any of His Majesty's subjects proceeding in ships navigated according to law upon a voyage to the East-Indies, are permitted by the 54th George III. c. 34, to touch and trade at the Cape de Verd Islands, where Salt may be procured at a very low price, we think it necessary to instruct you to take immediate measures for the protection of our Salt Revenue. With this view, we direct that you will lose no time in preparing and transmitting home for our sanction, a regulation imposing such a rate of duty on the *importation of all foreign Salt*, as shall have the effect of securing the revenue derived from that article. By which regulation it should be provided, that the merchants shall be at liberty to deposit such Salt in the warehouses of the Government, previously to the payment of the Duty, but that no such Salt shall be removed from thence, until the duty be paid.

11. We desire that in framing both the Opium and Salt Regulations, you will consult with your law-officers, with the view of preventing any legal difficulties in the way of their obtaining the sanction of the authorities in this country.

- 12. We fully rely on your active and zealous co-operation, on an occasion where the public interests are so deeply concerned, and trust that you will lose no time in carrying our directions into effect.

ADMINISTRATION  
OF MONOPOLIES.

Opium.

We are, your affectionate friends,

(Signed) THOMAS REID.  
JOHN BEBB.

East-India House, London,  
10th May 1816.

P.S. Copy of a Circular Letter to the Government of Fort St. George, Bombay and Prince of Wales' Island, on the subject of the foregoing Despatch, is sent a number in the packet.

(Signed) T. R. J. B.

No. 2.

To the Honourable the Secret Committee of the Honourable the Court of Directors, for Affairs of the Honourable the United Company of Merchants of England trading to the East-Indies.

Honourable Sirs :

Territorial Department, 11 October 1816.

We have the honour to acknowledge the receipt of your Despatch, under date the 10th May last, communicating your sentiments on the means possessed by the Honourable Company and their several Indian Governments of guarding the revenue derived from the exclusive manufacture and sale of Salt and Opium, and conveying your directions that we should prepare and transmit to you Regulations imposing such duty on the importation of Foreign Salt and Opium, as shall have the effect of securing the revenue derived from those articles.

2. On the receipt of your Honourable Committee's Despatch, we lost no time in communicating with our Advocate General on the subject, and we have now the honour to transmit, for the sanction of the Honourable Court, and the approbation of the Board of Control, Drafts of regulations prepared for the above purpose, in conformity with your directions.

3. Your Honourable Committee will observe, that the rate of duty imposed on the importation of these articles, is higher than what might appear requisite with reference merely to the prices at which merchants trading direct from England could afford to import them respectively.

4. We deem it therefore proper to explain that our Advocate General, Mr. Strettell, entertains great doubts of the authority of your Indian Governments, or of the Honourable Court, to interdict the importation and exportation of Opium in the country trade, an authority which, in the 8th paragraph of your Despatch, you state to be possessed by them.

5. Mr. Strettell's sentiments on this subject will hereafter be more fully communicated to you when the Report which we expect from that officer shall have been received. In the mean time, it has appeared to us advisable that such a duty be imposed on the importation of Salt and Opium as shall secure the exclusive trade in those articles from all interference whatsoever.

6. We had anticipated the suggestion contained in the 7th paragraph of your Despatch, having already, on occasion of the importation at this Presidency of a quantity of Turkey Opium (to which we alluded in the 16th paragraph of our Financial Despatch of the 28th June last), given directions for inserting in the licenses to trade in China, a condition that such licence shall be void, in case any foreign or other Opium than Opium sold by the Company at their public sale in Bengal, be laden on board the ship in any part of the voyage, or be imported into China on board of it.

7. In that Despatch we intimated our intention not to renounce, without a decision of the Supreme Court, the right of this Government to bring the Opium imported here, to confiscation.

8. Under the communication, however, conveyed to us in your Honourable Committee's Despatch, we have judged it proper to forbear from the legal proceedings which we had determined to institute.

9. We entirely coincide in the opinion expressed by your Honourable Committee, that it never could have been the intention of the Legislature, in opening the trade with India to the public at large, to endanger so important a branch of our finances as that which is derived from the exclusive trade in Salt and Opium.

10. We feel scarcely less confident that the Legislature would not have hesitated to give its express sanction to those rules which have been enacted by the local Indian Governments for the regulation and security of those branches of our resources. The prosperity of the Revenue of India can hardly be considered as of less importance in a national point of view, than that of the more immediate resources of the Mother Country, and the jealousy under which the former system of Indian Government might have operated to prevent any legislative sanction being given to the exclusive trade in Opium and Salt can hardly be anticipated, when that trade is expressly separated from the commercial concerns of the Company, and its profits exclusively appropriated as a territorial branch of Revenue.

11. We, at the same time, deem it right to state to your Honourable Committee, that under the present system of the Indian Government, the revenue in question cannot be considered to be fully secured without some legislative sanction of the British Parliament, to the rules enacted in regard to it by the local Governments.

12. Your Honourable Committee will best be able to judge of the expediency of making application to Parliament for that purpose.

13. We shall transmit copies of the drafts of the Regulations which accompany this Despatch, to the Governments of Fort St. George, Bombay, and Prince of Wales' Island, who will of course frame, with reference to these drafts, their respective Regulations, introducing at the same time into the Rules enacted by them, such modifications as local circumstances may call for.

14. It will then, we think, be expedient that they should at once transmit the drafts of the Regulations prepared by them, for the sanction of the Honourable Court, and the approbation of the Board of Commissioners, without further reference to this Government.

15. By these means, the delay which must have resulted from a literal adherence to the course prescribed by your Honourable Committee, will be avoided; and at the same time any inconsistency in the measures of our respective Governments sufficiently guarded against.

16. At none of these Presidencies indeed does any exclusive manufacture or trade in Opium exist, so that the rules passed by these several Governments, as far as respects the importation of this article, will have for their object solely to secure from competition the Opium purchased at the Calcutta sales; but we are not aware that any material deviation from the course which we have pursued, will on that account be requisite.

17. On this principle we have prepared the accompanying Regulation, imposing such a duty on the importation of Opium, not being Bengal Opium, into any of the ports or places dependent on Fort Marlborough, as shall secure the Opium sold at the public sales in Calcutta from all competition at that place.

18. Your Honourable Committee are aware, that Regulations for Bencoolen have from time to time been enacted by this Government.

19. We think it proper, however, to notice, that having occasion to enquire into the circumstances in which that settlement stands in respect to the Supreme Government, some doubts have arisen in regard to its being in a strict legal sense, a factory subordinate to Bengal.

20. No trace can be found on our records, of any order, making the settlement of Fort Marlborough a factory subordinate to this Presidency, having been issued by the Honourable the Court of Directors, subsequent to the passing of chap. 29, of the 42d of the King, by which Act they were authorized to do so.

21. The Court having in fact carried the measure into effect before the passing of the Act above-mentioned, may have naturally omitted to issue any further directions on the subject subsequent to that date.

22. This defect in form might, however, throw some doubt over the validity of the Regulations passed by this Government, particularly one of the nature of that now transmitted.

23. But as it may, if necessary, be rectified by the Honourable Court, previously to their transmitting this Regulation again to Bengal, and as practically the question is but little likely to arise, we have not considered it as a sufficient reason for delaying the preparation and transmission of the Regulation.

24. With respect to *Salt* no Regulation, we believe, will be required either at Prince of Wales' Island or Fort Marlborough.

25. How far the different circumstances under which a revenue is drawn from Salt at Madras and Bombay, may render necessary, in the Rules framed in those Presidencies respectively, some deviation from the draft now framed by us, the Governments of those Presidencies will, of course, best be able to judge; and we do not conceive that any material advantage would result from a reference to this Government, on account of variations arising from such a cause.

We have the honour to be, Honourable Sirs,

Your most faithful humble servants,

(Signed)

MOIRA.

N. B. EDMONSTONE.

ARCHIBALD SETON.

G. DOWDESWELL.

Fort William,  
11th October 1816.



To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East Indies.

Separate Department, 20th February 1816.

Honourable Sirs:

THE last Letter to your Honourable Court in this Department was addressed to you by the Honourable the Vice-President in Council, under date the 7th October last.

2. With reference to the communication contained in paragraph 144 of the above-mentioned Despatch, we have now the honour to convey our sentiments on the question regarding the means best calculated for the improvement of the Department of Opium, as respecting the provision of the drug, the prevention of the illicit manufacture and sale of it, and the attainment of a revenue from the internal sale and consumption of the article.

3. Your Honourable Court will find inclosed a number in the packet, copies of a Letter received from the Board of Trade, dated the 28th July last, and of the Minute referred to in it, in reply to the reference made to them on the subject; also copies of the Minutes recorded on the occasion by Mr. Dowdeswell, the Honourable the Vice-President, and Mr. Seton.

4. Your Honourable Court will perceive, on perusal of the Minute of the Board above-mentioned, that the more prominent features of the plan suggested by them in answer to our reference, are reducible to the three following propositions, *viz.*\*

1st. That the agency of Behar be formed into two separate divisions, to be denominated respectively the Agency of North and South Behar, the river Ganges forming the boundary between the two agencies:

2d. That the Southern Division, as much the larger of the two, be held by the present agent, and that the Northern Division be placed under the management of another covenanted servant; and,

3dly. That the present assistant to the agent in Behar should remain attached to, and reside at the larger agency of Southern Behar, but that he should at the same time be subjected to the performance of occasional duties in North Behar, upon the requisition of the agent of that division.

5. After mature deliberation we observed to the Board, in answer to their Letter, that the plan submitted by them with a view to meet the important objects above noticed, merely provided that there should be two separate and independent agencies instead of one, and without further augmentation of the number of European Officers, that a single assistant might be subject to the call of both agents. But after weighing this plan with all the attention due to the judgment and experience of the Board, we could not anticipate any substantial advantage from the adoption of it.

6. Without entering into any discussion of the merits of the plan proposed by the Honourable

Honourable the Vice-President in Council, under date the 7th of March, the Board appeared to have only suggested another, which seemed to resolve itself into little more than a mere division of labour and responsibility.

7. We remarked to the Board, that of the essential benefits arising from an authoritative superintendency over subordinate agents in other departments, Government had the most abundant proofs. In fact it is a practical principle which pervades the whole economy of human affairs, and that is the principle which it was proposed to introduce into the very important Department of the provision of Opium.

8. In the plan recommended by the Board, however, that principle appeared to be lost sight of. It has never been urged that the business of the Sudder or principal Station was too heavy on the footing on which it was conducted; and even supposing that the division of the agency into two parts might afford the agents greater leisure to superintend the conduct of the business in the Mofussil, the relief thus afforded would, it is conceived, be quite insufficient for the exercise of that active, vigilant and unremitted control which should pervade this branch of the business.

9. The object in view might, perhaps, to a certain extent have been attained, had the agency been divided into two equal, or nearly equal parts, but this was by no means the case; one division standing nearly in the proportion of two-thirds to the other. But, however the agency might be divided, it must be supposed that the time and attention of the agents would necessarily be in a great degree occupied at the Sudder Station, a scheme of things utterly at variance with that improved system of management contemplated in the Minute of the Vice-President in Council, dated the 7th March last, a copy of which accompanied our separate general Letter of the 7th October following. On that part of the Board's plan which suggests that a single assistant should be rendered subject to the authority of both agents, we observed that the objections to it were too obvious to require much illustration. If the illicit practices which heretofore existed could not be restrained by the exertions of a single assistant, acting under the guidance of the Opium Agent, we could not possibly anticipate any such effects from them, when his attention should be distracted by the jarring and irreconcilable instructions of two distinct and independent authorities.

10. The heavy expense to which the Government would be exposed by the adoption of the plan proposed by the Board on account of Public Buildings, formed another subject of consideration. It was admitted by the Board, that the buildings attached to the Opium Department at Patna are the largest in the country; but though capacious, they are scarcely adequate to the purposes for which they are required. Hence a judgment may be in some degree formed of the expense to which Government would be subject, were a separate and independent agency established in North Behar.

11. Another objection arose likewise to the plan proposed by the Board, according to the data assumed, the allowances of the agent in the Northern Division of Behar, would amount to Rs. 28,661 per annum. This, or even less than this, might be sufficient for a person acting under the immediate directions and control of a local superior, but it was conceived to be insufficient for the head of an office entrusted with the discharge of functions of great pecuniary responsibility in a distant part of the country, and acting under no other control than what can be exercised by the Board of Trade at the Presidency; although

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although the Governor-General in Council fully concurred in the sentiments expressed in the Resolution of the Honourable the Vice-President in Council, regarding the scale of the agent's allowances, it is perfectly consistent with that opinion to observe, that the principal executive officers of this department should be paid with more than ordinary liberality.

12. On these and other grounds which might be urged, we were induced, after an attentive review of the whole of the proceedings recorded on the subject of the future management of the business of the Opium Department, to concur in the opinion expressed in the resolution of the 7th March, that the objects in view would be best promoted by the appointment of deputies or subordinate agents in North and South Behar respectively, whose primary duty should be to restrain illicit practices in the growth and vend of Opium in the different villages and factories. This duty demands, in addition to strict integrity, great mental and bodily activity. Any plan which does not provide for the discharge of it on a regular and permanent footing will, in our judgment, prove delusive; at the same time, we conceived it to be highly desirable that the officers employed in the Opium Department should be paid in the shape of commission, and of rewards on seizures, in order that, by combining the prospect of immediate advantage with the hopes of promotion, and the establishment of a high official character, Government might derive every possible benefit from the zeal, the skill and activity of the new functionaries.

13. In communicating the foregoing observations to the Board of Trade, they were informed that in pursuance of the principles above explained, the following resolutions, founded on the Minute of the Honourable the Vice-President in Council, under date the 7th of March, had been adopted by us; and we requested them to prepare the necessary legislative provisions, and to submit the draft of the Regulation for the consideration of Government as early as possible.

That the department of Opium be continued as heretofore, under the general authority of the Board of Trade.

That the superintendence of the provision of Opium in the province of Behar be vested in an agent, aided by a deputy, in North and South Behar respectively, and by an assistant to be employed in the performance of such duty as the agent may judge necessary, either at the principal station, or at any of the subordinate factories.

That it shall be the duty of the deputies within the local limits established for the exercise of their official duties, to make advances to the Ryots for the manufacture of Opium, to superintend the receipt of the drug, to control the native establishments maintained within such limits, and especially to prevent the illicit culture of the Poppy, and the unauthorized manufacture and vend of Opium.

That it shall be the duty of the agent to furnish the Board of Trade with an Annual Report upon the state of the agency, founded on the information obtained from the deputy agents, and such local inquiries as he may deem it necessary to make in person.

That the commission of the superintendent shall be adjusted to such rate as may yield to him, including rewards on seizures, from 50,000 to 60,000 rupees per annum, and that the salary at present received by him shall be discontinued.

That

That the allowances of the two deputies shall be also paid in the manner above-mentioned, and be so fixed that they may receive as follows :

The first deputy from 18,000 to 24,000 rupees per annum ; and

The second ditto from 12,000 to 18,000 ditto ditto.

That the agent and deputies be authorized to receive such portion of the commission in advance, as they may respectively require for their current expenses, not exceeding, however, a moiety of the computed amount of such commission.

That the assistant shall be allowed 500 rupees per mensem, with the usual deputation allowances on his employment in the Mofussil.

That the Board enter, as soon as circumstances will permit, on a consideration of the large establishments at present maintained in the Opium Department, and that they report what retrenchments or modifications those establishments may appear to require for the conduct of the manufacture on account of Government, and for the prevention of illicit growth, manufacture and vend. That the Board shall, in like manner, report what part of those establishments should be placed under the orders of the agent and of his deputies respectively.

That an agency be established (as already directed) for the provision of Opium exclusively on account of Government, in the district of Rungpore, that such agency be united with the Office of Commercial Resident at that Station, and that the Board report the rate of commission, which they may deem an adequate remuneration for his responsibility and trouble. That the produce of the Rungpore Agency be reserved exclusively for internal sale and consumption.

That the superintendence of the internal sale of Opium be vested in the Board of Revenue, under rules similar to those established for the sale of spirituous liquors, intoxicating drugs, &c. ; and that the Board of Revenue be accordingly instructed to co-operate with the Board of Trade, in framing the general regulation now required regarding this important branch of the public resources.

14. The Board has also been informed, that the rules for the conduct of the officers employed in managing the retail sale of the Opium, should clearly define that the object of Government, in interfering in the traffic, was more with a view to control the use of an article which is so prejudicial to the morals of the people, and to the interests of society in general, than with a desire of increasing the revenue by an extensive sale of it ; and that the superior means which Government will in future possess of regulating and restricting the retail sale of Opium, when conducted under the immediate superintendence of its own officers will, it is hoped, not only prevent illicit traffic in the article, which notoriously exists, but gradually reduce the excessive use of the drug, which is now known to prevail, the object of course being to confine the consumption of it to medicinal purposes.

That with a view to prevent the illicit manufacture and vend of Opium, those persons who may be detected in these practices shall be fined, and be imprisoned for a period of twelve months.

That in addition to the agent and his deputies, and the commercial residents at Ghazepore and Rungpore, it shall be the duty of all the collectors and deputy collectors of

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Opium

Customs, as well as of the superintendents of salt chokies, to assist in suppressing illicit traffic in Opium ; and that all contraband Opium which may be seized, shall be valued at ten rupees per seer of eighty sicca weight, one-half of the amount of which shall be paid to the officers of Government, and the other half to the officers employed in the seizure.

15. It was at the same time intimated to the Board, that from the foregoing outline, they would observe that it was not at present intended to make any alteration with regard to the Opium agency established in the province of Benares, but that it would be a subject for future consideration, whether arrangements, analogous to those ordered to be established in Behar, should not be likewise extended to Ghazeepore. In the mean time we remarked that the communications received from Mr. Sweetland, were not calculated to impress Government with the belief that he possessed that minute and local knowledge of the state of the agency intrusted to his care, which was essential to the prevention of illicit culture, manufacture and sale ; and that had he possessed such information, he would have experienced no difficulty in furnishing the sketch of the situation of his subordinate factories as required by the Board, in their Letter to him referred to in the fourth paragraph of their Minute ; the Board were accordingly desired to repeat their application to the agent for a map of the description of that above noticed, and for such other local information as might appear to be best calculated to enable them to judge whether the business generally, in the Mofussil, was superintended with that active personal vigilance, by which alone the illicit growth, manufacture and vend of the article, could be prevented.

16. It was further stated to the Board, that under the arrangements proposed to be established, we did not deem the extension of the Behar agency to Monghyr, as recommended by them in the nineteenth paragraph of their Minute, to be advisable ; that the establishment of the Rungpore agency was founded, in a great measure, on the experienced difficulty, not to say impossibility, of preventing the growth of the poppy in that district : that its produce would probably be sufficient for the internal consumption of the country in general ; and the produce of the provinces of Behar and Benares prove on the other hand, in all likelihood, fully sufficient for foreign sale under the present arrangements, and such as might be eventually established in the Ghazeepore agency. At all events, we remarked that the utmost circumspection should be observed in augmenting the supply, and that of course the revenue could only be improved, or even maintained at its present standard, by adapting the annual stock to the demand for it in the home and foreign markets respectively.

We have the honour to be,

Honourable Sirs,

Your most faithful humble Servants,

(Signed)

MOIRA.

N. B. EDMONSTONE.

ARCH. SETON.

G. DOWDRELL.

Fort William,  
20 February 1816.

**EXTRACT** Letter in the Separate Department, from the Court of Directors, to the Governor General in Council in Bengal, dated 24th October 1817.

Para. 75. THE sentiments expressed in paragraphs 21 to 27 of our despatch from this department, dated the 18th September 1816, will have prepared you to expect our approbation of the measures adopted by you for the purpose of supplying, from the government stores, a quantity of opium for the internal consumption of the country. We wish it, at the same time, to be clearly understood, that our sanction is given to those measures, not with a view to the revenue which they may yield, but in the hope that they will tend to restrain the use of this pernicious drug; and that the regulations for the internal sale of it will be so framed, as to prevent its introduction into districts where it is not used, and to limit its consumption in other places, as nearly as possible, to what may be absolutely necessary.

76. The provision of opium in Behar having fallen short in 1813 and 1814 of the supply required for exportation, we concur in the expediency of your having, in the first instance, appropriated to internal consumption the confiscated opium at your disposal, and the twenty-six muster chests which had been allowed to accumulate since 1797-8 in the Godowns at the Presidency.

77. With respect to the means of providing a future and permanent supply for internal consumption, we are of opinion that the principle ought to be invariably adhered to, not to introduce the culture of the poppy into any district where it has not hitherto obtained, but that the provision should be increased, either by improved management in those parts of the country where agencies are already established, or by the introduction of government agency into districts where the plant is known to be cultivated for the purposes of clandestine trade. In conformity with this principle, we entirely approve of your having rejected the proposition of the agent in Behar, to establish a factory at Monghyr, a district in which it does not appear that the poppy is cultivated. On the other hand, in authorizing the provision of opium to be revived in Rungpore, where every endeavour to prevent the illicit cultivation of the poppy is stated to have proved ineffectual, the only object is (and it is surely a fair one) to substitute an allowed, instead of an illegal proceeding, to restrain an evil which cannot be repressed; to place under regulation a habit of indulgence from which the people cannot be wholly weaned, and to employ taxation less as an instrument of raising a revenue, than as a preservative of the health and morals of the community.

78. We regret the failure of the steps taken in 1815 by the commercial resident at Rungpore, for collecting the opium illicitly cultivated in that district and in Dinagpore. Although the cultivation of the poppy in those districts was estimated (probably much too highly) to have been carried to the extent of 10,000 begahs of land in that season, which ought to have yielded about 900 chests, or 1,800 maunds of opium, the whole

LETTER from the Governor-General in Council, to the Court of Directors, dated 7th October 1815.

(135 to 144) State the measures which have been adopted for supplying a quantity of opium for the internal consumption of the country, and refer to the more comprehensive arrangements which are under consideration, with the view of augmenting the provision of opium for foreign commerce, of preventing illicit manufacture and sale, and of deriving a revenue from the internal sale and consumption of the article.

Paras. 1 to 16, of Letter, dated 20th February 1816, where the same subject is continued.

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quantity expected to be collected by Mr. G. Monckton did not exceed thirty maunds, and this was procured at the heavy expense of eighty rupees per maund.

79. We are satisfied, from a perusal of the papers now before us, as well as of those which accompanied your letters of the 23d June and 29th November 1814, that there is no occasion whatever to extend the poppy cultivation in the territories under your government, in order to procure a supply of opium completely adequate to purposes both of exportation and of internal consumption; but that your endeavours should be confined to the collection, on account of government, of the opium now manufactured, and which in part finds its way into consumption through illicit channels. Besides the large quantity of land which, as already noticed, is appropriated to the illicit cultivation of the poppy in Rungpore and Dinagepore, the agent in Behar estimates \* that there may be from 600 to 800 maunds annually smuggled from that province. In another letter, † the agent reports that the illicit cultivation of the poppy is carried on in the district of Purneah, to the extent of 700 or 800 beegahs in the course of the year. The agent at Benares also states, ‡ that though smuggling is not carried on to any considerable extent from that agency, yet that it is clandestinely conveyed in certain quantities down the Ganges to Dacca and Chittagong, and he describes it as a *growing mischief*. It was suggested, both by the agent in Behar, § and the commercial resident in Rungpore, || to increase the fine, in cases where opium is seized, from four to eight rupees per seer. We see no objection to this increase, and to extending the period of imprisonment from six months to a year, in cases of failure on the part of the offenders to pay the fine; but in regard to another proposition of the agent in Behar, that the smugglers of opium should be confined in the Fouzdarry instead of the Dewanny jail, we entirely agree in opinion with your Board of Trade, that no financial advantage derivable from such a measure could compensate for the evil of associating persons of this description with culprits imprisoned for heinous offences.

80. As connected with this branch of the subject, we cannot suffer to pass without notice the censurable proceeding of Mr. Philip Monckton, on the 23d December 1813, upon an application made to him by the agent in Behar, to dispose of complaints which had been for some time pending in the Zillah Court of Purneah, on account of the illicit cultivation of opium; and we desire that you will signify to Mr. Monckton our displeasure with his conduct on that occasion.

81. We have considered, with attention, the general arrangements reported in your letter of the 20th February 1816, to have been resolved on, after a good deal of discussion, for the purpose of improving the opium revenue. The opium provision in Behar has hitherto been conducted by an agent and assistant; the former of whom has received allowances averaging per annum ..... Rs. 80,112  
and the latter ..... 9,600

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Making a total of ..... Rs. 89,712

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82. The

\* Letter, dated November 21, 1814.

† Letter, dated April 26, 1815.

‡ Letters, dated May 11, and Dec. 27, 1815. § Letter, dated Nov. 21, 1814. || Letter, dated Aug. 23, 1815.

82. The following are the most prominent features in the new arrangement, which was sketched in a minute of the Vice-President in Council, recorded on your consultations of the 28th March 1815, and finally agreed upon in September of that year: that the superintendence of the provision of opium in Behar shall be vested in an agent, aided by a deputy in North and South Behar respectively, and by an assistant, to be employed in the performance of such duty as the agent may judge necessary, either at the principal station or at any of the subordinate factories. It is proposed to reduce the agent's allowance from 50,000 to 60,000 rupees per annum; to fix the first deputy's allowances at from 18,000 to 24,000 rupees, those of the second deputy at from 12,000 to 18,000 rupees per annum, and to grant the assistant a salary of 500 rupees per mensem, with the usual deputation allowance when employed in the Mofussil; the superintendent and two deputies to be paid by a regulated commission: the opium provided in the Behar and Benares agencies to be reserved exclusively for exportation, and that provided in Rungpore by the commercial resident, to be appropriated to internal sale and consumption, under regulations to be framed by the Board of Revenue, and executed under their superintendence. The commercial residents at Ghazepore and Rungpore, the collectors and deputy-collectors of the customs, and the superintendents of salt-chokies, as well as the opium agents and their deputies, to be required to assist in suppressing illicit traffic; and all contraband opium which may be seized to be valued at ten rupees per seer, and one-half the amount to be paid to the officers of government, and the other half to the officers employed in the seizure.

83. We are disposed, upon the whole, to approve of the general outline of the foregoing arrangement, which we think preferable to the plan suggested by the Board of Trade, of dividing Behar into two separate agencies, the adoption of which would have entailed a heavy expenditure in the erection of new buildings for the use of the opium department in North Behar.

84. As the high estimation in which the opium sold at our sales is now held, arises from its purity and the excellence of its quality, and as opium produced in Rungpore and other parts of Bengal is deemed of a quality inferior to that of Behar and Benares, great care must be taken that Bengal opium be *not put into such a state* that it may, in our own or foreign countries, be passed off as Behar or Benares opium. We therefore positively direct that the Bengal Opium be not made into cakes, but that instead thereof, it be put into pots or jars, and sold in that state, at a season of the year when poppy-leaves are not procurable; and you must make a regulation, declaring that if any person shall be detected making Bengal Opium into cakes, either with poppy-leaves or tobacco-leaves, or any other substance, the Opium found in such a state of preparation shall be seized and confiscated, and the offender be liable to adequate penalties.

85. After all, we must observe that it is our wish not to encourage the consumption of Opium, but rather to lessen the use, or, more properly speaking, the abuse of the drug; and for this end, as well as for the purpose of revenue, to make the price to the public, both in our own and in foreign dominions, as high as possible, having due regard to the effects of illicit trade in our own dominions, and of competition in foreign places from Opium produced in other countries. Were it possible to prevent the use of the drug altogether, except strictly for the purpose of medicine, we would gladly do it in compassion



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compassion to mankind; but this being absolutely impracticable, we can only endeavour to regulate and palliate an evil which cannot be eradicated.

No. 5.

(Bengal Separate Department of Opium.)

Our Governor General in Council at Fort William in Bengal.

27 January 1819.

Para. 1. We have received your Political Letter, dated the 4th January 1817, representing the injury which the Opium branch of the Company's Revenue is likely to sustain from the traffic in that article, which is stated to be carried on between the Port of Goa and other ports in India not subject to British jurisdiction, and the Portuguese settlement of Macao, and suggesting an arrangement between the Governments of Great Britain and Portugal, under which the latter Government may consent to prohibit the importation, by its own subjects, into Macao, of all Opium not purchased at the Company's sales in Bengal, and to impose such duties on that drug, whether the produce of Turkey or of any place in India not subject to the British Government, when imported into that settlement by foreigners, as may be tantamount to a prohibition.

2. We are by no means insensible to the injury to which the Company's interests connected with the Opium monopoly are exposed from the competition of Malwah and Turkey Opium in the Chinese and other Eastern markets; and we approve of the solicitude which you have evinced to provide for the security of this valuable branch of the Indian Revenue. It has, however, appeared to us so improbable, that the Government of Portugal would accede to an arrangement such as you have suggested, that we deem it quite unnecessary to submit the proposition to His Majesty's Government.

3. The superiority of the Bengal Opium in point of quality over that manufactured in other parts of India, will, we trust, insure to it a preference in the foreign market so long as the superiority is not much more than counterbalanced by the difference in price; and should a reduction in the price of Bengal Opium become necessary, the expediency of proportionately increasing the annual provision will naturally engage your attention. We know of no practicable mode of guarding against the evil which you apprehend, except by supplying the markets at a moderate price with a better article than can be procured from different quarters and through other channels.

We are, your affectionate friends,

(Signed)

JAMES PATTISON.

C. MARJORIBANKS.

S. TOONE.

T. REID.

G. RAIKES.

J. THORNHILL.

J. JACKSON.

JOHN INGLIS.

W. S. CLARKE.

J. BEBB.

GEO. SMITH.

W. WIGRAM.

W. ASTELL.

EDW. PARRY.

G. A. ROBINSON.

London,  
27 January 1819.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 907

ADMINISTRATION  
OF MONOPOLIES

No. 6.

Opium.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor General in Council in Bengal, dated 8th August 1821.

Para. 110. The subject of the provision of Opium, which has become connected with many new and important considerations, we shall fully notice in replying to Paras. 120 to 136 of your Letter of 17th July 1818.

111. With respect to the prevention of the illicit manufacture and sale of Opium, the principal points here brought to our notice are:

112. The delegation of judicial powers to the Revenue Authorities of this Department.

113. The modification of the scale and distribution of rewards on confiscated Opium.

114. The increase of price to the cultivators of the poppy; and,

115. The relaxation, in favour of travellers and visitants from foreign States, of certain provisions of Regulation 13, of 1816.

116. The degree of judicial authority delegated by Regulation 13, of 1816, to the Revenue Authorities of this Department, meets our entire approbation. We refer you to our remarks in a preceding para. on the same subject, in relation to the Salt Department.

LETTER from the Governor General in Council to the Court of Directors, dated 28th February 1817.

Letter, 28th February 1817, paras. 104 to 138, 150 to 152

Letter, 4th July 1817, para. 7.

Letter, 24th October 1817, paras. 66 to 69.

Letter, 17th July 1818, paras. 34 to 36, 120 to 128, and 137 to 140.

Letter, 30th July 1819, paras. 111 to 141.

Proceedings connected with the provision of Opium; the prevention of the illicit manufacture and sale of Opium; arrangements for internal sale, and the management of the Behar Agency.

No. 7.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor General in Council in Bengal, dated 30th January 1822.

Para. 40. We have already noticed the progressive decline of the Opium Revenue from 1814-15 to 1817-18 inclusive. This decline was ascribed to the competition of foreign Opium in the Eastern market. The proceedings now before us relate to the measures which you have pursued for the purpose of overcoming this competition, and restoring the prosperity of this branch of our resources.

LETTER from the Governor General in Council to the Court of Directors, dated 17th July 1818 (129 to 136, and paras. 142 to 156, of Letter 30th July 1819.) Proceedings, connected generally with the provision of Opium for the Government Sales; the extension of the Opium manufacture, and the measures adopted for modifying Regulation I. of 1818, of the Bombay Code.

41. The effects of this competition have been felt, not simply in the depression of the general price of the drug, it has entirely destroyed the advantage resulting from a strict monopoly, which counterbalances the deficiency of unfavourable seasons by a proportionate enhancement of price.

42. We regret to observe that this competition has been greatly strengthened by a deterioration, beyond the example of many years, in the quality of the Opium provided in 1817 and 1818, while the Malwa manufacture of that year was so much improved in quality,

**Opium.**

quality, as to approximate very closely to the properties of the Company's standard Opium.

43. The rivals of the Company in the China Opium market are of three classes; namely, the traders in Malwa Opium, the traders in Turkey Opium, and the traders in illicit Bengal Opium.

44. Of these three sources of rival supply, the Malwa Opium appears, from the excellence of its quality, to have afforded the most powerful instrument of competition; so much so, that in the opinion of the Select Committee of Supra-cargoes at Canton, if the quality of the Company's Opium should not be kept up to the standard established in 1798, and if the quality of the Malwa Drug should continue to rise in proportion to its recent improvement, and the traffic continue equally free from restrictions, there was reason to conclude that the competition would extend to the limits at which the proceeds of Opium in general would merely repay the expense of production and transport.

45. The principal channels by which the Malwa Opium found its way to the Eastern markets, were the Portuguese Ports of Diu and Demaun, to which it was conveyed in the first instance through Cambay, Baroda, and other ports of native States. The measures adopted for breaking this chain of traffic, by prevailing on the native Princes to prohibit the exportation of Opium from their ports, and by the establishment of high protecting duties on the transit of the drug by land, promised only a very limited and problematical success against the sedulous exertions of the Portuguese authorities to discover new channels by which the drug may find its way to their ports, the very great temptation to native merchants to co-operate in these views, and the difficulty bordering upon impossibility of effectual prevention on the part of our Government, without constant and vexatious interference with the people and the Governments of native States.

46. The Turkey Opium is conveyed to China and the Malay coast, direct from the Mediterranean, principally by Americans and by British ships from Madeira; and although a very inferior and much adulterated drug, it has proved, since the peace, a formidable rival, from the very high price of the Company's Opium, and the inadequacy of its supply, to the total demand of the market.

47. The competition of Bengal illicit Opium is an evil of serious magnitude, and we observe with regret the great extent to which it is understood to prevail. "This species of smuggling," as is well observed by Mr. Larkins, "lies nearest to our doors: it lessens the public supply and the profit upon it; and it is signally injurious to the fair trader, for in a distant market he has to compete with an article in secret hands, which meets him at half price, and at possibly a total exemption from freight and charges."

48. The principles of a strict monopoly, which supposes the exclusive possession of a market and the consequent assurance of high price, by means of limited supply, are evidently inapplicable to this state of things. You have therefore made it a subject of careful consideration, whether the Eastern market cannot be commanded by the adoption of an entirely different system, namely, by supplying its entire demand at such a price as would render competition unprofitable.

49. It seems to be sufficiently established that the demand for Opium, in the Eastern market,

market, has of late years considerably increased : that the Company's standard Opium obtains a decided preference over every other variety of the drug ; but that its supply is inadequate to the total demand of the market, and that its price places it out of the reach of the poorer classes of consumers ; that the deficiency of its supply leaves an ample opening for the rival supplies, and that its high price enables them to obtain an advantageous sale, even at a much lower rate ; and that the rival supplies have derived a further and very considerable advantage, from an unfortunate deterioration in the quality of the Company's Opium during the two last years (1817 and 1818).

50. In considering the policy of the change of system proposed, namely, of attempting the entire supply of the market, on terms that would annihilate competition by rendering it unprofitable, it became obviously important to ascertain, as correctly as possible, 1st, the total amount of the probable annual demand, and the consequent probable extent of the annual provision ; and, 2dly, the lowest price at which it would be worth the while of the rival traders to bring their drug to that market, and consequently the price at which the Company's Opium must be sold, in order to depress the price of the rival Opium below this level. From these data the comparative profit of the present and the proposed systems might be estimated.

51. The results of the inquiries made by the Board of Trade in reference to these points, and the careful discussion of them in the Minutes of Messrs. Udney and Larkins, and in your Resolution of 12th November 1819, appear to show that the present supply to the Eastern market may be calculated to be at least 8,000 chests. The lowest recorded price of Turkey Opium in the Mediterranean is stated at 800 rupees per chest, or two-and-a-half dollars per pound. You think that this price may be fairly assumed, as somewhat below the price at which any large supply could be profitably furnished. This assumption appears to us to be somewhat too hastily made.

52. There is also evidently some important error in your ulterior calculations. You state that the latest known price of Turkey Opium in the Mediterranean was four dollars per pound, or 1,300 rupees per chest ; and that the latest selling price of the same article at Canton, was 1,035 rupees per chest, " which probably afforded little more than a mere return of the capital employed, and charges incurred, in the adventure."

53. This calculation, however, does not show even a mere return of the capital and charges ; it shows, on the contrary, a considerable loss ; the price in the Mediterranean exceeding the price at Canton by 265 rupees per chest. We cannot suspect an error in figures ; for not only are the same numbers more than once repeated, but the same calculation recurs in another shape, exhibiting similar results.

54. Without, however, dwelling on the errors of a calculation, which we have no means to rectify, we may observe that the only fair conclusion which can be drawn from the premises stated is, that if Turkey Opium, when sold at four dollars per pound in the Mediterranean, gives a fair remittance to China, if sold there at 1,035 rupees per chest ; the same Opium, if sold at two-and-a-half dollars per pound in the Mediterranean, would give a fair remittance, when sold in China, at 642 dollars per chest, with some little addition for the difference of freight, and other charges on bulk.

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55. You proceed to observe, " that the comparative value of the Bengal and Turkey Opium in the Eastern market is stated to be as five to three ; supposing the latter therefore to bear the above price of Rupees 1,035, the Bengal Opium might be expected to sell at Rupees 1,723 per chest, and this price would give a fair profit, supposing the average price of Opium at the Calcutta sales to be reduced to Rupees 1,400 per chest." But if, as we have seen strong reason to apprehend, the Turkey Opium might be brought to the Eastern market at 642 rupees per chest, then, according to the above proportions, the Bengal Opium, in order to drive the Turkey Opium out of the market by comparative lowness of price, must be sold at 1,070 rupees per chest in the Eastern market, and consequently at 869 rupees per chest at the Calcutta sales, if the charges be reduced in proportion to the price, or at a still lower rate if the charges be not so reduced.

56. There are other facts stated in the documents before us which you have entirely overlooked, and which we are sorry to observe bear still more unfavourably on your views of this subject. The importation of Turkey Opium into China, is stated to be as the earliest period of European commerce with that country, though it at first took place in very small quantities. Previously to the agency system the Turkey Opium was on a par with, or not much lower than the Bengal.

57. We find, on reference to the records, that the selling price of the Behar and Benares Opium at Calcutta on the average of eight years, from 1787-8, was 558 ; of eleven years from the same period, being the last eleven years of the contract system, 495 ; of fourteen years from the same period, which will include the three first years of the agency system, 527 rupees per chest.\* If it was worth the while of the dealers in Turkey Opium

to

		Quantity Sold.	Average Per Chest.	Price.
		Chests.		
* Cons. 1st June 1795.	1787-8 Behar ....	3,113	466 1 6	Average of 8 Years, Rs. 558. 9. per Chest.
	Benares....	580	474 9 7	
	1788-9 Behar ....	1,907	576 11 19	
	Benares....	423	563 3 7	
	1789-90 Behar ....	1,963	595 5 19	
	Benares....	504	582 6 14	
	1790-1 Behar ....	2,267	568 5 2	
	Benares....	572	539 7 16	
	1791-2 Behar ....	2,474	535 9 7	
	Benares....	750	516 11 15	
	1792-3 Behar ....	2,152	624 1 0	
	Benares....	832	637 8 13	
	1793-4 Behar ....	2,979	553 10 0	
	Benares....	881	586 15 5	
Cons. 19 June 1797. Ditto 23 May 1798.	1794-5 Behar ....	3,502	480 6 0	Average of 11 Years, Rs. 495. 12. per Chest.
	Benares....	1,148	639 2 0	
	1795-6 Behar ....	4,749	235 9 0	
	Benares....	1,267	246 9 0	
	1796-7 Behar ....	5,331	286 11 0	
	Benares....	1,233	293 0 0	
	Quantity Provided.			
	1797-8 .....	4,476	414 0 0	Average of 14 Years, Rs. 527. 10. per Chest.
Colln P. 44.	1798-9 .....	4,385	775 0 0	
	1799-1800.....	4,874	687 0 0	
	1800-1 .....	4,151	790 0 0	

to send it to the China market when the price of the Company's Opium at Calcutta was from 500 to 550 rupees, we can scarcely imagine such an enhancement of the cost of production or of transport, as that it would not be worth their while to send it when the price of the Company's Opium at Calcutta is 1,400 rupees, making the most ample allowance for the improved quality of the Agency Opium. We fear, therefore, that the idea so strongly entertained by you, that a sale price of 1,400 rupees for the Company's Opium in Calcutta, will be so low as, by underselling, to drive the Turkey Opium out of the China market, has been taken up on an imperfect view of the subject, and will be found on experience fallacious.

58. We attach more importance to the effects of superior quality in this competition. It was long since observed by a very competent judge of this subject:—"Opium is a medicine of so much importance, the diseases in which it is most frequently prescribed are so dangerous, and the quantity in which it is exhibited is so small, that the best that can be procured will be procured without any attention to the difference of price." This opinion relates solely to the medicinal use of Opium, and is so far, we think, unquestionably correct. We have little doubt that the opinion may be extended in a great measure to the general consumption of the drug, considering the very great pre-eminence of price which the best always obtains over the inferior qualities in articles of luxury, in those especially which, like the article under consideration, are used, not as simple luxuries, but as articles considered indispensable to the health of the consumers. In this point of view we are strongly disposed to believe that the Company's Opium, if supplied of the standard quality of 1798, would command over the Turkey Opium in the Eastern market, a preference sufficiently decided to ensure a large profit on a supply nearly commensurate with the entire demand of the market. We do not expect that the Turkey Opium can be entirely driven out of the market; but we think its sale may be restricted within very narrow limits by regular excellence in the quality of the Company's Opium.

59. The quality of the Malwa Opium, approaching and sometimes surpassing the quality of that of Behar, has rendered that a much more formidable rival in the Eastern market. To repress it, either by underselling it, or by any marked superiority of quality, appears to be impracticable. The prohibitory Regulations, which were designed to check its exportation, could only be partially successful; they were reluctantly adopted by the Native Governments; they were attended in their operation with the most serious hardships to the monied, agricultural and mercantile classes; producing the ruin of many, and causing general dissatisfaction and distress. At the same time they could only be partially successful from the multitude of interests concerned in discovering new channels of illicit exportation, and the extreme difficulty of prevention on the part of our Government; and their success at all events could only have been secured by "an injurious interference with the general commerce of the country." and by "measures which Government could not pursue without a just impeachment of its equity."

60. The measure therefore which was originally proposed by the Board of Trade, and which met with the entire approbation both of your Government and of the Government of Bombay, of taking up the Malwa produce on account of the Company, appears to

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be on many accounts a highly advisable arrangement. Those classes of the native community which have suffered most severely by the prohibitory Regulations, will derive from their dealings with the Company advantages equivalent to those resulting from their original dealings, the suppression or interruption of which, by the prohibitory Regulations, was so severely felt by them; and the same article which would otherwise in spite of those regulations, and after occasioning much individual suffering, and much odium to our Government, have found its way to the Eastern market to the injury of the Company, will thus be sent thither in a manner most beneficial to all parties concerned. What would have been otherwise a source of much vexatious and injurious interference with the people and governments of native States, without any commensurate advantage to our Government, will thus become a source of mutual benefit.

61. The average annual supply of Behar and Benares Opium to the Calcutta sales has been about 4,000 chests. The estimated supply of Malwa Opium to the sales intended to be held at Bombay is also about 4,000 chests, making the total supply of Opium to the Company's sales (at Calcutta and Bombay) about 8,000 chests.

62. The points of detail which are of primary importance in the local arrangements for the provision of the drug, are to obtain the drug of the best possible quality at the smallest possible charge, consistently with the fair remuneration of the cultivator; and to reconcile the security of the present provision with the prevention of the extension of the cultivation.

63. Of the quality of the Malwa Opium we have already spoken; it is nearly equal to the standard quality of the Opium of Behar. Every practicable method should be taken to bring it to the perfection of this standard, and above all, to prevent its degenerating. The cost of production appears to be somewhat higher than in Behar and Benares. You seem to have some hope that it may be hereafter reduced; of course while the disparity continues, the Malwa drug is the least advantageous provision for the Company. It is on this account sufficiently desirable not to extend the culture, and not for this reason only, but also because the present conjoint production of Malwa, Behar and Benares, is full as much as is desirable under present circumstances. It is also most desirable, that the culture should not be extended in Malwa for the supply of illicit traffic.

64. You think, that although these objects would perhaps be best obtained by the establishment of one or more agencies under the management of British officers, as far as circumstances will allow, on the principles followed under your Presidency, yet various decided objections appear in your judgment to oppose the adoption of such a measure. With this impression, you were of opinion that no better arrangement could be followed than that suggested by Mr. Wellesley, the resident at Indore.

65. The plan alluded to is as follows: "To fix upon certain convenient frontier stations for the receipt of supplies of Opium. To furnish the political authority or authorities in this sphere with copies of the terms on which the Company would receive Opium of particular qualities at the appointed stations, for distribution to the several governments and authorities in Malwa; to authorize the Company's Political Officers in Malwa, or the agents at the Opium stations on the frontier, to invite and receive tenders from

from Government or individuals for supplies of Opium, to be submitted to the approbation of the Government of Bombay, or to be entertained or rejected at the discretion of those officers, these officers being previously instructed in the wishes of the Bombay Government for the occasion; to prohibit the importation into the Company's territories, of any other Opium than what is brought to appointed stations on the Company's account, subjecting all other Opium to confiscation."

66. We strongly doubt if this plan will accomplish the ends in view. The Company's officers can in no way regulate the quality of the drug, or the extent of the cultivation. The only security for the quality, is in the rejection of the supply if the quality be bad; the only security against the extension of the cultivation, is in the prohibitory Regulations. The prohibitory Regulations have been severe, but not successful; if the whole of the present produce of Malwa be taken for the Company, the severity of the prohibitory Regulations will so far cease to be felt, or if felt, cannot be justly complained of; but if the produce be increased, either the Company must take the increased produce indefinitely, which may very soon burthen us with a superabundant provision, or the same system will take place with respect to the surplus produce which has already taken place with respect to the whole. As long as the Opium trade yields a high profit to the British Government, so long will it be worth the while of all the parties concerned in the old Malwa trade to secure a share in that trade. The numerous interests that have been, and still are concerned in discovering new channels of transportation to Diu and Demaun, will still be in active operation; and (the prohibitory Regulation being confessedly inadequate to their object, without the addition of such measures as Government cannot justly undertake) the consequence will be an increased produce in Malwa, and a transportation of much of that produce to Diu and Demaun. If with all our matured and acquired means of prevention in our own possessions, illicit Bengal Opium finds its way in no inconsiderable quantity to the China market, it is scarcely to be supposed, that under all the circumstances connected with the Malwa produce, which we have already noticed, we shall not still have to encounter a very formidable opposition from that produce, unless means can be devised to prevent the extension of the cultivation.

67. You propose to discourage the cultivation by limiting your own demand. You think the Company will derive less profit on the produce of Malwa, than on that of Behar and Benares; but you think it necessary to take the Malwa produce, because of the "probability that if Government refuses to purchase it, it will ultimately find its way to the Eastern market through clandestine channels;" but you do not seem to be aware that this probability will still apply to all the surplus produce beyond the Company's demand, that this surplus produce will, in the natural course of things, if the extension of the cultivation be not prevented, be extended according to the demand from other quarters; and that this demand from other quarters will infallibly take place, so long as the profit on the trade shall counterbalance the risk of clandestine transportation. At what point (that is to say, at what price of the drug in the Eastern market) the profit of the clandestine trade will cease to counterbalance the risk, it is extremely difficult to determine; but we see every reason to fear, that this point is not to be found within limits that would leave to the Company any considerable revenue from Opium.

68. You



**Opium.**

68. You do not intend to interfere with the cultivation for internal supply, and you state the internal demand to be considerable. Here then is an abundant supply at once in the internal market; a supply as much at the service of the clandestine dealers, as of the domestic consumers, and capable to all appearance, of indefinite extension.

69. We are fully aware of all the objections and difficulties that oppose themselves to the establishment in Malwa of a system resembling that of the Bengal Agencies, but we fear that by no other means can the extent of the cultivation be controlled; and if not only the same, but any thing like the same degree of competition in the Eastern market should be experienced when we furnish it with 8,000 as when we furnished it with 4,000 chests, we see much to apprehend from the consequences of a redundant supply. You have calculated on an inevitable temporary depreciation till the competition of foreign Opium is repressed; but the tendency of our preceding observations leads strongly to the opinion that such depreciation will be, not temporary, but permanent; and that either the competition will not be repressed at all, or that it will return with the return of our profit.

70. The object of the proposed modification of the Bombay Regulation 1, of 1818, was such a relaxation of the import duties on Opium prescribed by that Regulation, as would reconcile the permission of a sufficient import by land for the consumption of Guzerat, with the prevention of exportation by sea. To secure on the one hand to the people of Guzerat the use of an article which they consider indispensable to their health, and of which the high duty (12 rupees per seer) imposed by Regulation 1, of 1818 was a virtual prohibition; and to prevent, on the other, the allowed supply for internal consumption from being diverted into the channels of clandestine exportation, considering the ample means afforded to the latter by the whole coast of that extensive peninsula which lies between the Gulfs of Cutch and Cambay, and at the southern extremity of which lies the island of Diu itself, one of the principal emporiums of the rival trade, appears to us an attempt replete with difficulties. Your suggestion to the Bombay Government, to avoid for the present any formal repeal of the regulation, and to grant a conditional relaxation of its rules in the form of a temporary notification, rather than in that of a legislative enactment, meets our entire approbation, as the best course which could, under all the circumstances, be pursued. By adopting this method you keep it within your own power to reimpose the duty, without reference to England, whereas if the regulations were repealed, no new duty could be imposed without our special authority.

71. In stating to you the views which have forced themselves upon us on a careful consideration of this question, we would by no means be understood to disapprove the plan you have adopted, which was demanded as a measure of justice, as the only compensation that could be offered for the injury sustained by the people from the operation of the prohibitory Regulations. If those Regulations had been abolished, the open competition of the Malwa drug would have destroyed our Opium revenue. If they had been continued without the alleviation of the present measure, they would have continued to produce the greatest hardships to the people, and could only have been rendered effectual at an enormous expense in establishments, and by means which Government could not pursue without a just impeachment of its equity.

72. We are fully aware that you had only a choice among many opposite difficulties, and that you had it not in your power to fix on a course that would not have been liable to exceptions, but we have deemed it necessary to call your attention to some important considerations which you appear to have overlooked, and which forbid us to entertain any very sanguine hopes that the result of the course you have pursued will realize your expectations of maintaining the revenue at the standard of the most favourable year (1814-15), at the same time the means which the Company possesses of commanding a large supply on moderate terms and of an excellent quality, will always afford it a considerable advantage in the ordinary course of mercantile competition. We have no doubt that these advantages are capable of very great extension, if the drug be supplied of such uniform good quality as will give the purchasers in the Eastern market implicit confidence in the Company's stamp. This confidence the deterioration of late years has greatly weakened. If this confidence can be restored and preserved, our resources may still derive considerable benefit from that moderate profit on an enlarged supply to which we must restrict our expectations; but we are fully persuaded that in proportion as this confidence shall be preserved or lost, this branch of our revenue will prosper or decay. The point therefore of vital importance, and that to which your most vigilant supervision is required, is the preservation of uniform excellence of quality.

73. We approve the distinction in the form of the cakes which you have directed to be made between the Opium of Malwa and that of Behar and Benares.

No 8.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor General in Council in Bengal, dated 11th July 1827.

Para. 36. We acknowledge the justice of your remark, that the subject of Malwa Opium is beset with difficulties, and we are happy to perceive by the voluminous correspondence which we have perused, that it has been considered by you with the most anxious attention, though we have to lament that the information before us remains too imperfect to enable us to form any decided opinion on the questions which still perplex you.

Letter from the Governor General in Council to the Court of Directors, dated 23d March 1821 (127 to 138; also Letter 30th July 1823, paras. 42, 43, and 49 to 81) Provision of Malwa Opium, and annexation of the Malwa Agency to Calcutta. An increase of price thought necessary to the cultivators of Opium in the Bengal Agencies. The Collectors of Tirhoot, Sarun and Shahabad, to act as deputies to the Opium Agent in Behar. Dr. Hare appointed to act as Examiner of Opium; and the expediency of a third Opium Agency in Rohilkund, under deliberation.

37. Your object in taking into your own hands the market of Malwa Opium, was to prevent its competition with that from your own Agencies in Bengal, and thence to secure the benefit of a monopoly in the Eastern market. That the experiment as yet, has been far from successful, sufficiently appears from the documents before us. You were but little satisfied with the conduct of the agent employed by the Bombay Government in Malwa. The extent of his pecuniary drafts is one circumstance which, of course, attracts attention. They amounted, for the supply of one year (1823), to the enormous sum of 86,25,000 rupees, and as yet we have no documents to show how it is accounted for. On this subject, therefore, we are under the necessity of postponing our opinion.

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ADMINISTRATION  
OF MONOPOLIES.

### Opium.

38. The means of preventing the Opium, raised without restriction in Malwa, from reaching the hands of the private merchant and the China market through him, seem to be of two kinds, either obstructions to the transit, or such regulations of prices as may exclude competition.

39. The first of these expedients is so difficult that its success must be regarded as exceedingly doubtful. The commodity is so valuable in proportion to its bulk, that it is easily carried and concealed; and it is, or may be raised over a great extent of country, or rather, of many countries, of some of which we have not the government.

40. In attempting to exclude competition by the second expedient, that of regulating the price, it is easy to foresee this inconvenience; that if you give such a price as will prevent all rivalry from the private trader, you encourage the manufacturer to augment the quantity to an extent which will speedily glut the market; and this seems to have been one of the inconveniences actually experienced in the case of Mr. Taylor's agency.

41. Your Secretary, Mr. Holt Mackenzie, whose opinion has always great weight with us, seems to regard the attainment of your object, either by obstructing the transit of the commodity to the coast, or by regulating the price, as hopeless; and he came to the conclusion,\* that unless "some arrangement for shackling the trade in Malwa Opium be adopted, there is little chance of your being able to prevent such a fall in price, from superabundant supply, as will render the possession of the monopoly in Bahar and Benares of little value." His expedient is to monopolize the cultivation in Malwa, in the same manner as in Behar and Benares; in other words, to prevent the cultivation of Opium by any other parties than those with whom Government enters into contract. As no observation is made upon this plan, either by you, or by the Board of Customs, Salt and Opium, we conclude that it is regarded by you, as indeed it appears to us, impracticable. To prevent clandestine cultivation through such an extent of country as Central India, in which the machinery of our Government is very imperfectly, and in some places not at all, introduced, and to obtain a faithful execution of any compact for that purpose, which the native Chieftains may enter into with the British Government, appears to us still more difficult than the other expedients which have so imperfectly answered your expectations. The unfavourable impression on the minds of the people, which we are informed by Sir John Malcolm† has been the effect of our endeavour, even to monopolize the produce, must be still greater if the monopoly and limitation of the manufacture is attempted.

42. Under these circumstances, and still more when we consider how extensively from other countries than India, from Turkey, and from Persia, Opium may eventually be procured by the private trader, we cannot conceal from ourselves the probability that it will not be in your power to maintain a control over the supply of the Eastern market.

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\* See his note under date July 10, 1823.

† "That our extension of the monopoly of Opium to Central India, will be attended with considerable trouble, and that it will, from the immunities we may require, and the connection with managers and others to which it may lead, give rise to much annoyance and general jealousy and bad feeling, is not to be doubted. It will, and indeed has already, made an impression not favourable to our interests."—Letter of Sir John Malcolm to Mr. Secretary Warden, dated April 26, 1821.

We do not, however, adopt to its full extent the conclusion which has been drawn by Mr. Mackenzie, "that the possession of the monopoly in Behar will then be of little value." It appears by the statements furnished to us, that Malwa Opium cannot be cultivated and brought to the coast for less than from 600 to 700 rupees per chest. It appears also that in Behar and Benares your Opium is produced at 300 rupees per chest, or perhaps less. If you were obliged then to sell as cheap as the lowest price at which Malwa Opium can be sold, you would still have a profit of 300 rupees per chest. But farther than this, it seems well ascertained that the Opium of Behar and Benares is a preferable article, and will always fetch a higher price than any other Opium. It seems to be the practical inference from all this, that your main attention should be directed to the means of attaining the greatest possible revenue from the Opium of Behar and Benares.

43. Under the prospect which seems forced upon us by this state of affairs, the measure which we perceived has occupied a great share of your attention, of removing the Malwa agency from the Bombay Presidency to your own, is a matter of inferior importance. Though strong considerations were urged by Mr. Warden for retaining the agency and the Malwa produce on the western side, we think that those by which you were determined preponderated. You could not have made a more judicious selection than that of Mr. Samuel Swinton for agent in Malwa. The objection which we should otherwise have felt to the appointment of a military officer (Captain Dangerfield) to the office of assistant, is in this instance superseded by the peculiar aptitude of the individual whom you describe as having, under Sir John Malcolm, enjoyed great opportunity of acquiring both local knowledge and experience in regard to the culture and disposal of Malwa Opium. Though the allowances of these officers are high, they are disproportionate to the importance of the trust.\*

44. We have had an opportunity, by the arrival of your consultations in this Department to March 1824, of observing the proceedings of Mr. Swinton to a late date, with which we are happy to perceive that you have reason to be fully satisfied; and from that gentleman we trust you will derive information sufficient to come to a satisfactory conclusion as to what is your best policy in regard to Malwa Opium. Respecting your directions for the provision for 1824, which appear to us to be judicious, we shall speak more fully in our next letter in this department.

45. We have considered with much attention the correspondence relative to the provision of Opium in Behar and Benares, and have been very forcibly struck with the imperfect information which you possess relative to the cultivation of the drug, even in those provinces where you certainly had the means of obtaining a full acquaintance with every thing connected with it. We cannot forbear attaching blame to preceding Boards, to which this important branch of the interests of the State was specially entrusted, for the want of information which is now apparent in your proceedings, and trust you will take care that a speedy remedy for this defect shall be provided by the present Board.

46. Under

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\* Agent, 5,000 rupees per month. Assistant, 1,000 ditto.

Opium.

46. Under much diversity of opinion and strong considerations adduced on both sides, you have come to the resolution of allowing an additional price to the growers of Opium in the Bengal agencies. We cannot pronounce that you have done wrong in this. But we are not satisfied in the present imperfect state of information, that you have done right. We are indeed inclined to think that until you were better acquainted with the grounds on which you were to proceed, the preferable course would have been to abstain from innovation. It may still be found that this increase of price was not necessary, but it will not be easy in such an event to reduce it.

47. The appointment of the collectors of Tirhoot, Sarun and Shahabad, to act as deputies to the Opium Agent in Behar, and of Dr. Hare to act as examiner of Opium, and to secure, by a more accurate analysis, the due perfection of the drug, are arrangements which promise the advantages you expect from them.

48. The project of establishing a third agency in Rohilcund is under your consideration, and we expect from you more ample information on the subject; till which time we shall defer the forming of our opinion. One thing we may remark, that all plans for enlarging the supply of Opium in the Bengal agencies, must depend so much upon your final determination with regard to the Malwa produce, that till such determination is made, you hardly can, without danger of great mistake, adopt any specific proceedings. In the event of your deeming it inexpedient to continue your efforts to preserve the monopoly of the Western produce, one point to which we do not see that you have adverted, will present itself for consideration; *viz.* whether by arrangements with the Governments to which the several Ports in the Western Coast belong, a considerable export duty might not be imposed. This, if practicable, would both tend to keep up the price in the Eastern market, and, to the extent of the proceeds, would be an immediate gain.

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No. 9.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor-General in Council in Bengal, dated 21st January 1829.

Para. 2. WE now reply to paras. 408 to 412, and para. 419 of your Letter, dated 31st May 1827; also to your Letter, dated 18th October 1827, and in conjunction with these, to a former Letter of yours, dated the 18th of May 1826.

3. In these paras. four different subjects are presented to our notice, which we shall consider in the following order: 1st. The employment of certain collectors as deputy Opium agents; 2dly, The appointment of Mr. Fleming to act in the capacity of referee and supervisor in Behar in Opium affairs; 3dly, That of Captain Jeremie to perform certain experiments for the improvement of the drug, and to prepare it for medical purposes; 4thly, The proposal for erecting a separate office for the business of Opium Examiner at the Presidency.

4. First: The subject which comes first in this order is the plan you have adopted, of employing the collectors as deputies to the Opium agents of Behar and Benares, in those  
of

of the more distant Aurungs, where a more efficient control seemed wanting over the native officers, and more complete security to the cultivators of reaping the full advantages to which they are entitled. We have already sanctioned this measure, as far as regarded the appointment of the collectors of Tirhoot, Sarun and Shahabad, by our Dispatch, dated 11th July 1827; and you now inform us that, in addition to those officers, you have invested with the powers of deputy Opium agents in their respective districts the collectors of Allahabad, Benares, Juappore, Goruckpore, Ghazeepore and Ramgur. We perceive by your correspondence with the Board of Customs, Salt and Opium, and the Central Board of Revenue, that the advantages and disadvantages of the measure, and the means of obviating, as far as possible, all probable inconveniences, were carefully considered, and we feel no hesitation in giving it our full approbation. We think also that you judged well in respect to the mode of remunerating collectors for the duties of Opium agency, by adhering to the general rule, which makes the reward contingent upon the success.

5. Second: Your experience seemed to you to have afforded reason to anticipate one inconvenience under this arrangement; namely, that of disagreement arising between the Opium agent and the deputy agents, respecting the quality of the Opium delivered by the deputy agents; and it appeared to you a proper act of foresight, to provide the means of adjusting those disputes. The expedient of a referee was naturally presented to your minds; and you deemed yourselves fortunate in having an officer highly qualified for the purpose, in Mr. Fleming, Second Judge of the Provincial Court at Patna, who could undertake the duties without detriment to those of his situation in the judicial department. In order to derive advantage as far as possible from the services of Mr. Fleming, who, in his judicial capacity, would be called into many parts of the Opium district, and might be of great use by his supervision and suggestions, you thought proper, on the recommendation of the Board of Customs, Salt, and Opium, to constitute him a Supernumerary Member of that Board in the Opium department; and for the performance of all these duties, you assign him an extra allowance at the rate of 500 rupees per mensem, to be drawn from January 1826, on the ground that his services, during the whole of that period, had been given to the department.

6. One observation immediately occurs on the consideration of this arrangement; that if the performance of these duties, the settlement of disputes between the agent and deputy agents, and between the cultivators and other parties, together with the improvement of the cultivation and manufacture, be of importance in the Behar agency, it must be of corresponding importance in the Benares agency. In particular, the settlement of disputes must be an exigency equally strong in the one case as in the other, yet the provision is made solely for Behar. Under the painful experience which we have had of the shifting and unsettled character of your plans of administration in the Opium department, and the present absence of any explanation, why that which you deem of so much importance for Behar has not been thought of for Benares, we cannot exempt ourselves from the fear that this measure has been adopted under no general and comprehensive consideration of the subject, embracing collectively the objects which you desire to obtain, and distinguishing skilfully the series of operations through which they are most likely to be secured; the suspicion rather is excited, that the suggestion arose from no consideration more

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enlarged, than the existence of an officer on the spot whom the employment would peculiarly suit, and that of an Opium agent, who needed his assistance. We are not disposed, on the ground of this suspicion, to condemn the appointment; but we dislike a partial expedient for a general exigency, and we disapprove the absence of explanation, when a remedy provided against anticipated evil in one case is not afforded in others, where it seems equally wanting. Another thing which seems exceptionable to us in this arrangement is, that being made for a permanent purpose, it is not calculated for permanency; because the circumstance of a Judge of Circuit on the spot, possessing the qualifications of an Opium referee and supervisor, is not likely to occur again. It is true, that your experience of Behar, with a referee and supervisor, and Benares without any such officer, will afford you some means of comparison. But Government should not in this or in any other department, be for ever a matter of experiment. You should by this time be able to proceed upon former knowledge, and anticipate effects. Should it be found that the Benares agency can be conducted prosperously without a referee (and if the agent is an officer fully qualified for his office, we see no reason why it should not), the inutility of such a functionary in Behar being thereby proved, the abolition of the office will be only an addition to those fluctuations in your plans, of which there seems to be no end. As full time for this experiment will have been afforded before the present despatch can be received, we direct that no time may be lost in affording us an accurate and faithful report on the subject.

7. Third: The project of extending the cultivation of Opium to Rohilcund, and establishing there another agency, suggested by Mr. Forde, collector of Moradabad, and Captain Jeremie, was by you, upon reasons which appear to us satisfactory, declined. But in consequence of the report of the late Doctor Abel, that the Opium grown by Captain Jeremie, in Rohilcund, possessed "superior excellence as a narcotic over that of Behar, Benares or Patna, while in its other qualities it would bear a comparison with the finest kind of that grown in Turkey," the Board of Customs, Salt and Opium, being of opinion that opium, of the character of that produced by Captain Jeremie, might be prepared in any of the present agencies, recommended that an experiment to that effect should be made; and in the making of it, that the following points should be in a particular manner attended to.

• "1st. Generally, whether our Behar, Benares, and Malwa Opium are capable, by means of improved cultivation or different preparation, of being assimilated, in all respects, to that of Turkey.

"2d. Whether, if converted into such, in what way the value of each would be affected in Chinese estimation.

"3d. Whether the present proportion of narcotic substance in the Behar Opium could be augmented, and the drug be still preserved, free from the noxious properties which the Chinese consider the Turkey Opium to possess.

"4th. What it is in the manufacturing process in our agencies that is prejudicial to the goodness of the drug, compared with the Turkey opium, as a medicine in Europe.

"5th. How far, if the character of Turkey Opium can be imparted to the produce of India, and the article be sent home to compete with the other, there would be any fear

- fear of its subsequently finding its way to China, and so interfere with the exports made directly from hence; and,

" 6th. If possible, to discover the nature of those desirable qualities in the Behar Opium which have already obtained for it such a decided preference amongst the Chinese consumers.

8. The Board proceeded afterwards to recommend Captain Jeremie for this particular service, in the following words: " We attach great importance to the careful investigation of these points, and we really do not see how they could be more successfully examined than by Captain Jeremie, who has manifestly acquired an extensive knowledge of the subject, and by the light which he would throw upon it in its various branches, if his services were wholly at the disposal of the department would, we are persuaded, amply repay the Government for any remuneration which they might give him. What we would suggest is, that Captain Jeremie be permitted to proceed to Behar, being, while there, under the orders of the agent, and that a moderate space of land be assigned to him wherever the soil is most favourable for his experiments. The objects we have in view are evidently of a nature that can only be thoroughly sifted *on the spot*, by a minute and narrow scrutiny into the varieties of soil, the different modes of cultivation, and all the operations of manufacture; so that, at first, though he might be considered in the light of an assistant to the agent, and be subject to his general supervision, it would be best that his attention should be confined to one place. The different specimens of Opium that he might prepare would be kept wholly separate from the general investment, so that there could be no fear of any change of feeling in regard to it; nor would any the slightest alteration be suffered in respect to the present provision, until after it had been actually proved to be beneficial, and had, of course, been submitted for the sanction of Government, so that we do not apprehend any possible harm. On the contrary, there is every ground in the evidence Captain Jeremie has afforded of his competence to the undertaking, of deriving gradually the most valuable information from his employment in the service.

" This appears to us the only way in which the experiments could be conducted with a hope of success, the opium in small parcels being sent to Calcutta after it was made, and by us being subsequently forwarded to different quarters, and especially to the Honourable the Court of Directors, if it is found practicable to prepare a quantity on the Turkey principle.

" An improved mode of packing the Opium would form also another subject of inquiry, on which Captain Jeremie has already, in his correspondence with Mr. Forde, offered, as it appears to us, some good suggestions."

9. Approving these suggestions, you authorized Captain Jeremie to be employed under the agent at Behar, at a salary of rupees 500 per mensem, as a temporary arrangement, and for the purpose of experiment. Afterwards, on a strong recommendation from the Medical Board that Captain Jeremie should be employed to manufacture a pure Opium for the use of the medical department, you thought proper that this should be included among the duties he was to perform.

10. Averse as we are to the creation of a new office, and to any addition to the expense of your Government, we think that the advantages here in view were so great, and the promise



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promise of them so fair, as to justify a temporary arrangement for the chance of their attainment. It is our particular desire, however, that the temporary and experimental character of the measure be not lost sight of; and to this end, that an accurate report be forwarded to us as soon as possible, informing us what the result of the experiment has been, and whether any arrangement consequent upon its success or failure is by you reckoned expedient.

11. Fourth: When you had made such extensive arrangements and sanctioned so great an expense for superintending the produce and preparation of Opium, and improving the quality of the drug, we expected to find a distinct declaration on your part, that the expensive project which you had formerly in view, respecting an office of Opium Examiner at Calcutta, and which you reported to us in your Letter dated the 18th May 1826, had been relinquished. Of this project we did not think favourably from the beginning, and on that account suspended our approbation. The reasons which induced us to incline to the opinion of those members of your Government who were averse to the proposition (for there was a difference of opinion in the Council), it is not necessary for us now to state at length, because the arrangements which you have since adopted supersede the presumption of utility on which the former project was grounded. The functions of Opium Examiner at the Presidency have one main object in view, that of satisfying the purchasers in a general way respecting the quality of the article offered for sale. To this you proposed, through the establishment of an office of Opium Examiner, to add another service, that of superintending the produce and improving the quality of the drug. These, however, are the very objects which it is proposed to accomplish through the appointments of Mr. Fleming and Captain Jeremie; and if these appointments answer your expectation, we see not any purpose of this nature which remains to be effected through the instrumentality of a separate functionary at the Presidency. If this be so, the duty of an Examiner at the Presidency is restricted to that narrow and very easy one, of passing such a judgment on the quality of the Opium, as is requisite for the satisfaction of the dealers; and which, in the opinion of all parties, can be performed with perfect convenience by the Apothecary General. From your silence on this subject in your latest letters, we infer that we shall hear no more from you of the establishment of such an officer as that of Opium Examiner at the Presidency, which, in the present state of our knowledge, we should not consider entitled to approbation.

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No. 10.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor-General in Council in Bengal, dated 16th September 1829.

Para 2. We now reply to so much as relates to the subject of Malwa Opium, in your subsequent communications, *viz.*—

Letter, 31st May 1827, Paras. 318 to 357.

— 26th June 1828, - - 174 to 207.

— 30th Oct. — - - 346 to 368.

3. On the danger to which you conceived the revenue derived from your Bengal Opium was exposed, unless a check could be applied to the exportation of Malwa Opium to the Eastern market, on the difficulties which seemed to oppose the establishment of such a check, and on the plan which you had adopted for making the experiment, by transferring the agency from the Bombay to your own Government, you have already reported your sentiments, and received our replies. In the documents now before us, we have an account of the proceedings of Mr. Samuel Swinton, from the time of his being appointed your agent till nearly the time of his resigning the office; and the whole of your correspondence with him and with the Superintending Board, on the subject of his operations. We are now, therefore, able to take a view of the objects which he effected, and of the prospect in regard to the future which the result of his proceedings may be deemed to afford.

4. We think you acted judiciously in your mode of ascertaining by trial, in what proportions it would be expedient to dispose of the proceeds of the Malwa agency at Calcutta and Bombay; a point which could not be determined without experience.

5. The attention of the agent was of course in the first instance directed to the acquisition of knowledge respecting the extent of the cultivation of Opium in Malwa, the extent to which the cultivation might in ordinary circumstances be carried, and the roads by which it was capable of being conveyed to the coast. When these points were ascertained, the questions remaining were, by what means the quantity cultivated could be kept within those moderate limits within which it was of importance to the objects you had in view that it should be confined, and what were the means which could be employed for preventing the transportation of the article to the coast, and its consequent exportation to the Eastern market.

6. The result of the active and judicious inquiries of Mr. Swinton, was satisfactory in regard to both points; the quantity of Opium capable of being cultivated in Malwa, and the routes by which it could be made to reach the coast.

7. It had been apprehended, that in the extensive regions of central India, the means of extending the cultivation of Opium were unlimited. It appears that this is very far from being the case. It requires much irrigation and manure; and the cultivation of it in fact, is very expensive.

8. It seems to be ascertained also, that the number of routes by which Opium in any quantity worth regarding, can be conveyed to the coast, is not considerable; and that the means of closing them, at least so far as to prevent any but small quantities from being conveyed by them to the coast, are not unattainable. Great praise is due to Mr. Swinton, for the active industry with which he prosecuted the inquiries which led to these results, and for the judgment and good sense which he displayed in the mode in which he elicited his information.

9. The two great objects for the attention of Mr. Swinton, after the knowledge of the facts on which his proceedings were to be founded, were so to conduct his operations in effecting the purchase of the commodity as to bring down the price, which had been enormously enhanced by the injudicious proceedings of the Bombay agent; and in the next place, to secure the co-operation of the native Princes in whose territories the drug is cultivated, or through whose territories it must pass in its way to the coast.

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10. In the first of these objects, the efforts of Mr. Swinton were attended with a success much beyond what could have been anticipated. In the first year of his agency (1824) you were obliged to authorize him to go to as high a price as 55 rupees per punsuree of 10lbs. ; you were enabled to reduce the limit to 40 rupees in the next year ; and at last Mr. Swinton was enabled to purchase at the comparatively low price of thirty rupees.

11. This reduction of price, under all the difficulties with which Mr. Swinton had to contend, tends strongly to confirm his conclusions respecting the practicability of excluding competitors from the market of Malwa Opium, and securing to the requisite degree, the command of it in the hands of the British Government

12. Towards the attainment of the second object, the hearty concurrence of all the native Princes, whose co-operation was necessary to restrain the cultivation of the drug, or prevent its passage to the coast, considerable progress seems to have been made ; in which we see with approbation, how much Mr. Swinton was aided by the co-operation of Mr. Wellesley. After negotiations, which necessarily occupied a considerable time, arrangements were effected with the Raj Rana of Oodeypoor, the Maha Rao Rajah of Boondee, with the manager of Meer Khan's Pergunnah, in Meywar, with the Raj Rana of Kotah, with the Government of Holkar, and with some other states in Malwa.

13. It is not our intention to enter into the detail of the agreements which were made with these rulers. We see with much satisfaction, that all the particulars were carefully considered, that great diligence and discretion were employed in managing the negotiations, and that the object of reconciling the interests of the chiefs and states in question, with those of the British Government, was steadily pursued, and, we believe, to a great degree attained. We perceive it was your opinion, that in some particulars the arrangements made would still admit of beneficial alterations ; this was to be anticipated in a case altogether new. We trust you will keep your attention fixed upon the subject, and make such alterations as farther observation may suggest.

14. With respect to the rulers of the states with which the engagements were found, it was your object to give them what might appear to be an equivalent for the revenue they might lose by aiding your monopoly. These rulers will only be induced to draw cordially with you in the measures necessary to secure your monopoly, by being led to think that they rather gain than lose by doing so ; and this persuasion you must endeavour to establish in their minds, while you must suggest to them such modes of confining the cultivation of the poppy to the best soils in their respective dominions, and of limiting the total extent of its cultivation as may be least oppressive, and least forcibly strike the ryot as an arbitrary and injurious interference with his rights and interests.

15. The pecuniary " result of the Opium concern in Malwa," you say, " belongs more properly to the financial department, and will there be explained." You present us, however, with a statement of your disbursements and receipts in this concern, to the end of the official year 1825-26, which exhibits a net profit of rupees 6,55,754, exclusive of the Opium remaining in store, and of the quantity transferred to the Abkarry department. You have been fully advised, in our Territorial Finance Letter, dated the 3d June last, that the accounts on which the calculations of the profit and loss resulting from the monopoly of Malwa Opium had been made, were very defective ; and that there

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was reason to suppose that the real profits at the close of 1825-26, exceeded 60 lacs of rupees.

16. From the success which has attended these proceedings, we entertain a more favourable opinion of your power so to restrain the exportation of Malwa Opium, as to prevent it from materially interfering with your Opium revenue, than that which we were obliged to draw from some of your previous communications. It is an object of so much importance, as to deserve your utmost endeavours for its attainment. We observe, that your hopes with regard to the future, were still mixed with some apprehensions; and there could be no doubt that the precautions you had been able to take, might still be defeated by circumstances of which you had not at that time been able to take account. Much would no doubt depend upon the parties into whose hands the business devolved after the departure of Mr. Swinton, and upon the ability and zeal with which the measures he had so well commenced, were followed up. We shall be happy to hear that an arrangement similar to that with the other states, has been made with Scindia's Government, the co-operation of which, in the restrictive system, appears of importance to its success.

17. In the present state of our information, we deem it unnecessary to make any further observations. The general object of your proceedings, that of securing a large branch of the revenue, is of obvious importance; and your conduct appears to have been such as, considering the difficulties in which you were placed and the necessity of feeling your way, good policy directed.

18. We remain anxious for information respecting the subsequent proceedings and their results. We earnestly hope they have been successful. At all events we trust they have been such as to afford decisive evidence of what we have to expect; and that we shall not long have to wait for the communication.

19. We observe from the Report of the supracargoes at Canton, dated 13th September 1827, that the Chinese have manifested an increasing taste for the Opium of Malwa; and that it had in consequence of this and the disrepute of the Bengal Opium, arising from the bad quality of it in the preceding year, produced a much higher price than the Patna and Benares Opium, which in that year were stated to be of good quality. This circumstance, though the supracargoes describe their information as very imperfect, we trust has not been overlooked by you and the Board of Customs, as indicating the course which ought to be pursued in our Bengal agencies. It is at variance with the theory of the late Dr. Abel in attempting to explain the reasons why the Chinese preferred the Patna Opium, both to the Malwa and the Turkey Opium. We hope that the experiments which were approved of in our Letter dated 21st January last, will have enabled you to judge of the competency of the officers entrusted with the preparation of an article so important both to the commercial and financial prosperity of your Presidency, to improve the quality of the Opium. Should you entertain doubt on this point, we must insist on your adopting the course indicated in the concluding paragraph of that Letter, as we cannot for a moment consent to sacrifice objects so important on account of any personal considerations.

LETTER from the Governor-General in Council in Bengal, in the Political Department, to the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East-Indies.—(Dated 10th July 1829.)

Honourable Sirs:

HAVING received from the several Political Authorities their answers to the call which was made on them to report the result of their observations on the effect produced by our arrangements, for the restricting the growth and suppressing the exportation of Malwa Opium (as reported to your Honourable Court in paragraph 178 of our Address from this Department, dated 8th May last), we have now the honour to submit copies of all the Documents connected with the Opium question not referred to in that Address, or subsequently received, as well as a copy of the Resolution which, after mature deliberation of the contents of the several communications here referred to, we have passed on this important subject, involving the total abandonment on our part of interference with the growth and transit of Opium throughout Central India.

2. We deem it unnecessary to occupy the time of your Honourable Court with a repetition of the grounds on which we have considered it imperative on us to adopt the measure abovementioned, as they are distinctly stated in the Resolution. A summary of the correspondence on the subject of our Opium arrangements having been prepared in the Secretary's Office, a copy of that paper is also transmitted, a number in the Packet.

3. On a reference to the Resolution now submitted to your Honourable Court, you will observe that we propose to take into consideration in the General Department, whether the provisions of the existing treaties relative to furnishing a supply of Malwa Opium shall be kept up with any, and which, of the Malwa states, supposing, of course, that they are willing to continue to deliver the article to us, on the present terms, or any others that may be negotiated, and generally, what measures should be taken to provide for the Bombay sales, and extend the cultivation of the poppy in Behar or elsewhere within the Honourable Company's Territories.

We have the honour to be, with the greatest respect,

Honourable Sirs,

Your most faithful humble servants,

(Signed)

W. C. BENTINCK.

W. B. BAYLEY.

C. T. METCALFE.

Fort William, 10 July 1829.

ABSTRACT of Correspondence regarding Malwa Opium, commencing from the Year 1818 to the Year 1828; in two Parts.

Opium.

Part 1st.

THE first Paper in the series is a Despatch from the Supreme Government,\* requesting a communication of the views of the Bombay Government as to the best method of checking the exportation of Malwa Opium, *via* the ports of Diu and Demaun, for the China market. The Bombay Government state, in reply, that, 1st. As the cultivation of the poppy had been prohibited in Guzerat (in 1803) by the influence of the British Government, so by the same influence the cultivation of the drug for exportation might be prohibited in Malwa: 2dly. That should the prohibition of the cultivation of the drug in Malwa be considered objectionable or impracticable, by cultivating the poppy in Guzerat we should at any time be enabled to drive the Malwa Opium out of the Chinese market.

In the Resolution of Government recorded in the Territorial Department, as per margin,† a full review is taken of the question of Malwa Opium, and of the effects it would probably have on the Bengal monopoly, were not our restrictive measures extended to Malwa.

After explaining the relative value of the Bengal and Turkey Opium in the Chinese market (which is as 5 to 3), and showing that there is no ground for apprehension from the effects of that Opium, provided the price of our Opium be not kept too high, it is observed that, on account of the demand for Malwa Opium in the Chinese market, it is impossible for us to retain our strict monopoly of Bengal Opium; it remained to be considered whether we could obtain supply from Malwa at such a price as to prevent any great deficit in the revenue from the inferior price which Bengal Opium must fetch in consequence of the modification of our monopoly.

The objects that would be attained by a more extended supply of the Chinese market on moderate terms would be, 1st, the prevention of smuggling; 2dly, the expulsion of foreign Opium from the Chinese market. The total amount of foreign Opium supplied to the China market in the year 1817-18 exceeded 3,000 chests, and the supply to Java and the Eastern Archipelago averaged 1,100 chests, making a total supply of 4,100 chests. If then 4,000 chests, in addition to our Bengal Opium (4,000 chests) could be supplied by us from India, it would appear that our Bengal Opium would suffer no material depreciation. The chief object in view must necessarily be, 1st, to obtain the supply of 4,000 chests from Malwa; and, 2dly, to prevent, by restrictive measures, the production of any quantity of Opium in excess of that supply. The scheme, however, of introducing our restrictive measures into Malwa was stated to be liable to many objections, *viz.*

1st. That it would be an improper interference in the internal affairs of foreign states: 2dly That it would paralyze the trade and commerce of the country in question:

\* Political Consultations, June 5, 1818. No. 95.

† Territorial Department, 1819. Consultations, Nov. 12. No. 14.

question: 3dly. That it would render our Government universally unpopular; and it was left to the Bombay Government to propose measures which would obviate those objections.

In a Letter from the Bombay Government, of the 12th May 1820,\* certain suggestions of Captain Pottinger's are mentioned. That officer points out the necessity of restricting the subjects of Holkar and Scindiah in the Deckan by the same regulations as the subjects of the British Provinces, from the sale and importation of Opium.

The right of the British Government to search all merchandize that might conceal Opium in its transit through the British territory to Scindiah's Deckanee villages, is pointed out in the Despatch as per margin.†

In the Letter from Bombay of 14th December 1821,‡ the route by which Malwa Opium is smuggled to Diu and Demaun is marked out. It is conveyed from Malwa to Paulee, thence to Jussulmere, thence to the port of Kurrachee in Sind, whence it is shipped to Demaun. The necessity of prevailing on the Jussulmere Rajah to prevent such traffic in future, was particularly brought to the notice of Government. In consequence of this recommendation, a letter was addressed to the agent in Rajpootana,§ directing him to use his best endeavours to prevail on the Joudpore and Jussulmere Rajahs to prevent the transit of Opium through their dominions.

By a Despatch of the 27th October 1821, from the Political Agent in Khandeish,|| by that of the Political Agent in Mahee Kaunta, dated 10th December 1821,¶ and by a Letter from the Resident in Cutch, of 19th March 1822,\*\* the extent of the illicit trade in Malwa Opium, and its transit *via* Khandeish to Jussulmere, and *via* Kureechee to Demaun, is again brought to the notice of Government; and a Letter from the Secretary to Bombay Government,†† reports the arrival at Demaun of 1,200 maunds of Patna Opium, and suggests the expediency of issuing orders to our allies in Malwa for the suppression of the illicit traffic.

In a Resolution of the 19th September 1822, by the Governor-General in Council,‡‡ the original scheme of purchasing 4,000 chests of Malwa Opium is discussed and decided on as to the best means of preventing the illicit export. It is observed§§ that the agent ought never to buy Opium which is not likely otherwise to come into competition with the public sales, and that he ought never to give such a price as the private merchant could not afford to give.

With regard to the disposal of Malwa Opium thus purchased, the Governor-General in Council considered it advisable to bring the whole or a great part of it to Calcutta.

On the 14th September of the same year, a Despatch from the Bombay Government||| announced that the deputy Opium agent in Malwa has secured 11,000 maunds of Opium, and expected to procure 4,000 more. The deputy Opium agent having suggested the expediency of indemnifying the native Chiefs for the losses they sustained on account of the

\* Political Consultations, July 15, 1820. No. 99. † Ditto, Nov. 14, 1820. No. 105.

‡ Ditto, Dec. 29, 1821. No. 70. § Ditto, No. 71. || Ditto, Feb. 2, 1822. No. 39.

¶ Ditto, Feb. 15, 1822. No. 24. \*\* Ditto, June 14, 1822. No. 53. †† Ditto, Oct. 4, 1822. No. 87.

‡‡ Ditto, No. 87. §§ Paragraph 6. ||| Political Consultations, Oct. 25, 1822. No. 17.

the export of Opium being prevented, the Honourable the Governor discountenanced the originating of any offer of indemnification on our part, as he considered it would be a loss of money without any equivalent benefit.

On the 27th February 1823, a Resolution<sup>\*</sup> was passed by the Governor-General in Council,\* by which the vesting of the Opium agency of Malwa in a Bengal civilian was proposed. The reasons for this proposition were, 1st, The necessity of the Opium agent being placed immediately under the authority of the Board of Customs, Salt and Opium; for as the purchase of Malwa Opium is intended to maintain the Opium revenue of the Presidency, the quantity to be purchased, and the terms to be offered must depend on the provision made in Behar and Benares, and on the views which the officers of the department and the mercantile community may entertain.<sup>†</sup> All instructions therefore to the agent should issue from the Supreme Government, and to that Government alone he should submit every requisite information with regard to his proceedings.

2d. Another reason for this proposition was the circumstance that the whole of the supplies required by the agent are raised by bills on the Bengal Province. However, before passing any final decision on the subject, the Governor-General in Council requested the sentiments of the Bombay Government on the subject. Previous to the receipt of any letter from the Bombay Government in answer to the above Resolution of the Supreme Government, the Accountant-General from Bengal had brought to the notice of Government the ruinous rate of exchange at which the Opium agent in Malwa had negotiated his bills on Bengal. It is stated by the Accountant-General, that as he considered the Opium agent to have been under the authority of the Bombay Government, he did not attempt to exercise any control over that gentleman's credit.

Mr. Warden's Minute of the 30th of April, recorded in the Territorial Department as per margin,<sup>‡</sup> detailing his sentiments with regard to the proposed measure of vesting the Opium agency of Malwa in a Bengal civilian, and of dispatching the whole or greater part of the Opium purchased in Malwa to Calcutta having been received, the Governor-General in Council proceeded to record his final resolution on the subject. The Governor-General observed<sup>§</sup> that, though it had been declared in Resolution of the 12th November 1819, that the principles of a strict monopoly could no longer be followed, it was never designed to intimate that the Opium concerns were to be conducted according to the maxims of a free trade. So long therefore as the present system of a modified monopoly is continued, it appeared to be essential that the Opium business in Malwa and here, should be conducted as one concern, consequently the interference of the Supreme Government should pervade the whole system; for consistency of system is of all things important. For these reasons, the Governor-General in Council determined on confiding the office of Opium agent in Malwa to a Bengal civilian of rank and high standing, and possessed of judgment, experience and discretion.

In a note of Mr. Secretary Mackenzie, of 10th July 1823,|| it is observed that, as the price of Malwa Opium depends on the price it will fetch in the Chinese market, it is obviously our interest to bring up such a supply of Malwa as will prevent a glut in the Chinese

\* Political Consultations, March 21, 1823. No. 100.

† Paragraph 2.

‡ Territorial Department Consultation, June 12, 1823. Nos. 54, 55.

§ Political Consultations, June 27, 1823. No. 77.

|| Ditto, July 18, 1823. No. 43.



930 **FOURTH APPENDIX TO THE THIRD REPORT OF THE**

Chinese market, and enable us still to derive a fair profit from our Bengal monopoly. In order to secure such a supply of Opium as will answer these objects, and to prevent a larger quantity being thrown into the market, it will not be sufficient to enter into mere engagements with the different chiefs for the prevention of the illicit trade, but we must give them an interest in the monopoly. This may be done by purchasing the Opium in the first instance at a moderate price, and allowing the chiefs a share in our net receipts. With regard to the total quantity of Malwa Opium to be purchased, it would appear (from the best information before the Government) that 4,000 chests, each containing two factory maunds, will be a sufficient supply; and as we cannot, in order that the temptation to smuggling may not be too strong, and to keep out the Opium of Turkey, expect above 600 or 700 rupees profit per chest, the profit on the whole would amount to 28,00,000 rupees. If it were necessary therefore to give a moiety of this, the remainder, or fourteen lacks, would be a larger profit than we have hitherto derived from Opium bought in Malwa. We should, at the same time, preserve our Bengal monopoly.

The internal consumption should of course be provided for by us at a cheap rate.

In conclusion, Mr. Mackenzie observes, that unless we are enabled to introduce a restrictive system into Malwa, it is to be feared that the supply of opium will be so superabundant as to render our Bengal monopoly of little value.

The deputy Opium agent having represented to Government \* that Opium purchased for the Honourable Company's sale had been stopped in Sindiah's dominions by that chief's officers, and a demand of duty been made, the Government in reply, directed the deputy Opium agent to pay the accustomed duty, pending the arrangement of a treaty on the subject with the Gwalior Durbar.

A reference had been made by the Bombay Government (13th December 1823) to the resident at Hyderabad, requesting him to prevail on the Nizam to prevent the transit of Opium through his dominions. As the resident in reply stated his inability to propose any such measure to the Nizam's government, the Bombay government forwarded to him copies of a correspondence which had passed between Mr. Russell, the former resident, and the Nizam's minister, from which it appears that the latter had agreed to prevent the transit of Opium through the Hyderabad territories.

In the Letter of Mr. Mackenzie, of the date per margin, † the arrangements entered into by the Opium agent in Malwa are approved and commended. It is stated that, as, from Mr. Swinton's report, it appears that the moment the price fell below sixty rupees per punsuree, the agents of a Bombay house began to purchase, the connection between ultimate Ports of destination and the province was completely established, and the prices in the latter must depend on those realizable at the former. The difference between them will be regulated by the risk, delay and expense of carriage, and it is necessary to add to these impediments as much as possible. This would be best accomplished by interesting the different chiefs in our monopoly.

Instructions having been issued to the resident in Rajpootana and Malwa regarding the

the Opium system,\* it was proposed by Mr. Mackenzie that similar instructions should be addressed to the agent at Odeypore, directing him to make the best arrangement practicable with that state for the prevention of the export of the Opium. Compensation of course must be granted for any loss occasioned to the state by the prevention of the traffic. In the correspondence of the date per margin, † the political agent at Odeypore explains the route by which Malwa Opium is conveyed to Demau *viâ* Odeypore, Jessulmere, the mouths of the Indus, states that the compensation for which the Odeypore government might be induced to co-operate with us in preventing the export, would amount to near 50,000 rupees. This sum the Boards of Salt and Opium did not consider as too high a price for the co-operation of the Odeypore state.

Captain Cobbe having completed a treaty with the Maha Rana of Odeypore, in October 1824, a copy of it was dispatched to the Supreme Government. ‡ It consists of nine articles, by the first and second of which the Maha Rana agrees to prevent the sale and transit of Opium through his dominions. By the third, the compensation to be paid the Rana is fixed at 40,000 sonat rupees. The fourth article stipulates that, in order to prevent disputes or imputation of connivance on the part of the Rana's officers, the British agent is to have the control of all arrangements and checks necessary to the fulfilment of the treaty.

The fifth article provides for the supply of Opium for internal consumption by the political agent: sixth article provides for the confining of such Opium to the internal consumption: seventh, enacts that unlicensed Opium will be confiscated and delivered to the agent, who will pay for it the price current of Malwa: eighth, Half the value of the Opium confiscated to go to the informer: ninth, This agreement to be binding as long as the Honourable Company's restrictive measures exist.

In March 1825§ the Opium agent in Malwa forwarded a proposal to the Supreme Government for supplying the districts under Madras, Nagpore and Hyderabad with Opium sufficient for the internal consumption. The agent considered the 1,200 maunds, which was about double the quantity hitherto imported by smugglers into these districts, should be furnished by him.

The agreement concluded by Captain Cobbe with the state of Odeypore having met with the entire approbation of the Opium agent and the Board of Customs, Salt and Opium, that officer was directed to enforce the performance of the conditions of the treaty; and instructions were issued to the resident at Indore, enjoining him to conclude similar treaties with the different chiefs under his authority. The expediency of a similar agreement being entered into with the Jeypore state is also pointed out by the Board.

In consequence of the instructions to Mr. Wellesley,|| Major Caulfield, political agent at Kotah, concluded an agreement for the term of six months with that state. The terms of the settlement were stated by Mr. Swinton to be highly satisfactory, and that gentleman considered

\* Political Consultations, July 30, 1824. No. 20. Ditto, No. 21. † Ditto, Aug. 27, 1824. No. 28.

‡ Ditto, April 5, 1825. No. 54. § March 24. Political Consultations, April 15, 1825. No. 91.

|| Ditto, Aug. 28, 1825. No. 17 to 19. Ditto, Sept. 23, 1825. No. 21. Ditto, Sept. 30, 1825. No. 65. Ditto, Dec. 30, 1825. No. 80.

considered that there would be no difficulty in renewing it, should it be approved by Government.

In pursuance of the system of compensation, the sum of 3,500 rupees per annum was granted to the managers of Ameer Khan's Pergunnah of Nemaherah in Meywar, in order to make up to that chieftain the amount of transit duties in Opium. In the letter of the Secretary to Government, addressed to the Board of Opium (in reply to their despatch announcing the temporary settlement made by Captain Caulfield with the Kotah government), it is remarked, that as the co-operation of the state of Kotah is very essential, it is much to be regretted that that state was not permanently included in the contemplated arrangements. With regard to the amount of compensation, it must be sufficient to interest the Raj Rana in our measures. By paying a fair average price for the quantity of Opium required by us, and by paying the Rajah either a certain fixed sum or a bonus on the quantity of Opium, say five rupees per punsuree, we should probably attain every object in view, even should the sum to be paid amount to one lack of rupees, the Government would not object, provided by paying this sum we should be enabled to prevent the export of the drug, and keep down the cultivation. The general plan of 1823 should be kept in view; the main object is to secure the co-operation of all the states (whose aid is necessary) in order to prevent the export of Opium to the coast; and it should be remembered that it by no means follows that we are to give up the whole scheme because some of the detailed arrangements are inapplicable.

Another great object is to provide for the internal consumption of the countries to the north-west at the most moderate rate.

In the despatch of February 1826, \* the necessity of giving the state of Kotah an interest in the success of the restrictive measures is again adverted to. It is essential that the quantity of Opium to be taken by us, and the price to be paid, should be fixed. The quantity should not exceed 3,000 maunds, and on that alone is a bonus to be paid, or, should the bonus be given up, a fixed rate may be given.

The amount of bonus may be raised to seven rupees per punsuree on 3,000 maunds if necessary.

An engagement was concluded by Captain Alves with the Amjeerah authorities in September, † by which they bound themselves to co-operate in our restrictive measures. The quantity of Opium to be purchased by us was fixed at eighty maunds, at thirty rupees per punsuree; and a bonus of 5,000 was agreed on, provided the Amjeerah authorities punctually fulfilled the conditions of the settlement.

In a despatch from the resident at Delhi, dated as per margin, ‡ addressed to the Governor-General whilst absent in the Upper Provinces, is contained the first remonstrance of the Kotah government against our restrictive system. It is therein stated, that in the year 1826, 4,000 maunds, at thirty-three rupees per punsuree, had been agreed on; that, in consequence of our system, persons of all ranks were exposed to a search for Opium on quitting the city, the town frontiers of Kotah; that the people were in consequence

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\* Political Consultations, Feb. 17, 1826. No. 87. † Ditto, Sept. 15, 1826. No. 34.  
‡ Ditto, Feb. 9, 1827. No. 9.

quence discontented, and a loss of 60,000 rupees had been incurred by the Raj Rana; lastly, it is stated that the monopoly had a tendency to cramp the trade of the country, and divert capital from its natural channel.

In a despatch noticed in the margin, \* Sir C. T. Metcalfe proceeded to record his sentiments, both on the complaints of the Kotah government, and on the general question of the effects of our restrictive system on the welfare and prosperity of Central India. He expresses his conviction that the treaties already concluded with some of the native powers in Rajpootana were procured by an improper exertion of our irresistible influence; that such measures are alike detrimental to the people, to the princes, and must ultimately be so to us; and such being the state of affairs, he recommended that we should resign our pecuniary profits, rather than forfeit our name and reputation.

The acting political agent at Kotah (E. Gordon, Esq.), in answer to a Letter from Sir C. T. Metcalfe, on the subject of Opium, states his opinion,† that our attempts to secure the monopoly of Opium in Rajpootana, are held in universal horror; and "that complete success can only be attained by such a mass of evil, as must make every good and wise man shudder."

In February 1827, a further representation was made by the Kotah government,‡ praying to be released from that part of its agreement which refers to the Sath Mahla, held in farm by the Raj Rana, from Scindia. In consequence of the complaints of the Kotah government, a Letter was addressed to the resident at Indore, under the orders of the Governor-General,§ requiring from him and the Opium agent conjointly, specific information with regard to the principal objections urged against the restrictive system.

In the answer furnished by the Opium agent to the above queries of Government,|| in which Mr. Wellesley expresses his entire concurrence, it is stated:

1st. That no extraordinary influence was exerted or was necessary, to obtain the consent of the several states of Malwa, to our Opium arrangements; that they readily entered into them, for they saw it was their interest to do so; and that, though some, in particular Holkar's minister, Tantia Jogh, publicly expressed dissatisfaction at having signed the treaty, this was merely, as Tantia Jogh himself intimated privately, with a view of keeping up appearances with the Soukars.

2d. That the smell of Opium is so very strong as to render any vexatious search unnecessary; and that no evil is practically experienced on that account.

3d. That previous to our pacification of Central India, little Opium was exported; that is to say, the produce previous to 1817, averaged 10,000 to 15,000 maunds, whereas in 1823, it was from 35,000 to 40,000 rupees.

4th. That the price paid by us is fair and liberal, and enables the Ryot to pay his increased rent.

5th. That

\* Political Consultations, Feb. 9, 1827. No. 10. † Ditto, Feb. 9, 1827. No. 11.

‡ Ditto, Feb. 23, 1827. No. 25. § Ditto, March 30, 1827. No. 9. || Ditto, June 22, 1827. No. 50.

5th. That the extension of poppy cultivation did not benefit the Ryot, as his rent was proportionably raised.

6th. That the Soukars alone were discontented with or injured by our arrangement.

7th. That if Jyepore and Kishengurh would co-operate with us, the export from Kotah might be stopped without that state's entering into our measures; and that it was the conviction of the possibility of this circumstance, that induced the Raj Rana of Kotah to conclude the settlement.

8th. That the existing treaties, if fully acted up to, prevent exportation from Scindia's territories in every direction, except by rounding Kotah to the E. *i. e.* *viâ* \* Kichwara and Sheepoor, into the Jyepore state.

Lastly. That the alarm of Scindia's manager at our measures, and their anxiety to be included in our arrangements, show that our measures are efficient, and that our treaties are considered fair and liberal.

In consequence of the Opium agent concurred in † by the resident at Indore, instructions were issued to the latter officer ‡ approving and confirming the measures which had been entered into for the preservation of our modified monopoly, as follows:—

1st. The Treaties concluded by the resident with the states of Indore, Dhar, Amjheera, Rutlam, Silonee and Seetamow, were confirmed and sanctioned.

2d. Instructions were given to the agent in Bhopal to enter into Treaties with the states under his authority.

3d. It was left to the option of the Kotah Rana to confirm his engagement or not; but his assertion with regard to the Sath Malla formed from Scindhia, was stated to be unfounded, as the late Maha Raja Dowlut Rao Scindia repeatedly signified his willingness to co-operate in our restrictive measures.

The sentiments of the Governor-General § were also transmitted to the resident at Delhi, who was further directed to authorize the political agent at Kotah to enter into a fair and free negociation with the Raj Rana on the subject of our modified monopoly.

In a Despatch of the 20th September from the political agent at Odeypore, the success of the restrictive system is mentioned, and an enlargement of his establishment for the preventive service solicited.

The agent states, that he had heard of no dissatisfaction being caused by the system; that so long as the internal consumption is fully and cheaply provided for, the Ryot will be satisfied; and that the ruler will remain contented as long as our compensation to him is fair and liberal, which it is at present. Sir C. Metcalfe, in a Minute recorded on the 10th October, || decidedly objected to any further grant of establishment on account of our Opium system to the political agent at Odeypore. He declared his opinion that the exercise by the political agent of the powers of search and interference was unjustifiable, as injuriously affecting the sovereignty of the Maha Rana of Odeypore in his own dominion, and contrary to Treaty; that a revision of our Opium system

\* Original.

† Original.

‡ Political Consultations, June 1, 1827. No. 99.

§ Ditto, June 1, 1827. No. 100.

|| Ditto, March 21, 1828. No. 72.

system in Rajpootana is most necessary, or that should the Governor-General in Council not be disposed to revise the present arrangements, a thorough inquiry be made, for the purpose of ascertaining, to satisfaction, the feelings that exist in foreign states on this subject.

Mr. Bayley, in a Minute of the 28th November,\* expressed his opinion that the right of search and stoppage exercised by the political agent in Odeypore, was justified by the Fourth Article of the Opium Treaty; that the Princes in Malwa are liberally remunerated for their concurrence in our views; and that the interests of the Ryots are not materially involved in the question. In deference, however, to Sir C. Metcalfe's decided opinion of the ruinous effect of our restrictive measures, Mr. Bayley coincided in Sir C. Metcalfe's proposition, that a full and faithful inquiry be instituted on the subject, provided the conduct of such inquiry be entrusted to a competent and unprejudiced individual.

In the Minute of the Governor-General of the 1st December 1827,† his Lordship expressed his disinclination to abandon our present restrictive system in Malwa, but at the same time considers it expedient that the proposed augmentation to Captain Cobbe's establishment be deferred until the inquiry proposed by Sir C. Metcalfe, and approved by Mr. Bayley, be concluded. In a subsequent Minute,‡ Sir C. Metcalfe again urged his sentiments with regard to the pernicious effects of our Opium monopoly. He further observed, that from the new state of things which has arisen in Meywar, *viz.* the employment of bands of mountaineers in the forcible transport of Opium, it appeared that any restrictive measures on our part must be unavailing; and that, in his opinion, the Odeypore Rana is a sovereign Prince, the independence of whose internal rule we are bound to protect, even should the pecuniary sacrifice be as heavy as has been apprehended.

With reference to a Despatch of 27th January 1828, from the acting agent in Harowtee,§ Sir C. Metcalfe again brought the subject of our Malwa monopoly to the notice of Government, in a Minute recorded as per margin. || From this Despatch, it appeared that an affray had taken place in Boondee, between the Opium smugglers and the Raja's troops, when a relation of the Raja was killed. Sir C. Metcalfe implored the Government to revise the present system, which is so destructive of human life, and thus check the feeling of discontent and dissatisfaction which exists in consequence of our Opium restrictions.

(Signed) G. T. LUSHINGTON.

## PART II.

In consequence of the foregoing discussions, it was determined at the commencement of Mr. Bayley's administration, to institute a full and faithful inquiry into the effects produced

\* Political Consultations, March 21, 1828. No. 73. † Ditto, March 21, 1828. No. 74. ‡ Ditto, No. 75.

§ Ditto, March 21, 1828. No. 76. || Ditto, March 21, 1828. No. 78.

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produced by our arrangements for restricting the growth and suppressing the free exportation of Malwa Opium, on the interests and feelings of the princes and people of all states affected by their operation. Circular instructions were accordingly addressed to all Political Officers employed in the Malwa and Rajpootana field, on the 21st March 1828,\* indicating the principal heads of inquiry, and calling upon each to state candidly and unreservedly the result of his observations and reflections on the whole question. The Bombay Government was, likewise, requested† to furnish a communication of its sentiments.

Mr. Wellesley, the President at Indore, has as yet sent no direct reply. The call was repeated on the 27th June.‡ He stated in answer as follows:§ “I consider my replying to your Opium circular of the 21st March last, would only be subjecting myself and Government to a supererogatory trouble, after having already in my Despatch to you of the 16th March 1827, afforded replies conjointly with Mr. S. Swinton, the late Opium agent, to the queries of a similar tenor before addressed to me, and having expressed my sentiments on the subject on various other occasions of a specific and practical nature, as they arise in the progress of the concern.” . . . . . “I felt too sensible, that to enter into disquisitions on points of dubious and speculative nature, besides taking up time which I could ill spare for such an undertaking, would be only affording matter for continued debate and controversy; tending to keep up hesitation and indecision regarding the arrangements, to the prejudice of the Company’s interests, and would be better, therefore, avoided by me.” This letter having been submitted to Government, Mr. Wellesley was informed, on the 22d August,|| that the Governor-General in Council considered it to be his duty to furnish distinct and specific answers to the several heads of inquiry stated in the circular letter of the 21st March last, and desired accordingly that he would prepare and forward a reply thereto with the least further delay practicable.

The following is the substance of the answers received.¶

Sir E. Colebrooke concurs entirely in the opinions expressed by his predecessor, Sir C. Metcalfe, on the Malwa Opium question. He combats in detail the statements and arguments of the Opium agent, Mr. S. Swinton, concurred in by the resident at Indore, in defence of the present system, which have already been noticed above. Sir E. Colebrooke doubts whether the acquiescence of the native Princes in our Opium treaties could in any instance be termed, properly speaking, voluntary, and considers that the right of search for what is called Contraband Opium is, in all probability, made an instrument of extortion and oppression. Admitting the export trade of Malwa Opium in any extent to be modern, and the result of our own measures for the pacification of Central India, Sir E. Colebrooke questions our right to deprive the native Princes of the benefit of the improved condition of things effected by ourselves. The price paid by us for the Opium delivered under treaty is not, in his opinion, a remunerating one, and our measures to reduce the cultivation of the poppy could only be carried into effect by a local inquisition

\* Political Consultations, March 21, 1828. No. 79. † Ditto, March 21, 1828. No. 90.

‡ Ditto, June 27, 1828. No. 48. § Ditto, Aug. 22, 1828. No. 33.

|| Ditto, Aug. 22, 1828. No. 34. ¶ July 9, 1828.

tion of the most vexatious and oppressive nature. Sir E. Colebrooke is farther of opinion that our Opium arrangements must have excited discontent and suffering among the states and people of Central India, though he cannot speak from his own personal knowledge. They are also incomplete, as no treaties can be effected with Jyepore, Joudpore, and Kishengurh, or with Sindia's Government; and it is impossible to prevent the exportation of the drug in large quantities through the Bheel tracts of Odeypore and Kotah. All our precautions being thus insufficient to block up the passage even through Oudepore and Boondée, where our restrictive engagements have been accepted, and a new outlet having been found through Kishengurh and Marwar, where no restrictions exist, a question arises, whether the half measures which we are able to enforce, are worth maintaining at the risk of the dissatisfaction to which they give birth. Even if we could be satisfied that the agricultural classes have nothing to complain of in regard to the arbitrary price affixed upon the produce of their labour, and the restrictions imposed on it, and that the rulers are even benefited by our arrangements, still the dissatisfaction of the mercantile interest, or what is called their clamor, in other words, their despair, at the prospect of losing the profits on the trade of Opium, the chief natural export of the country, must be deemed entitled to some attention. Sir E. Colebrooke concludes by suggesting that it might be more practicable and effectual to control the export of Malwa Opium by sea, by acquiring the port of Demaun, than any attempt can be to limit the cultivation and intercept the transit of the drug through the whole extent of Central India.

Mr. Clerk\* states, that Jyepore is no producer, and consequently no exporter of Opium. Neither is it a consumer of the drug to any great extent. The only effect felt in that territory from our restrictive measures, was in the first instance a rise of price in the drug required for internal consumption, which was subsequently obviated by the abundant contraband importation of the Meenahs. Mr. Clerk notices that the Court of Jyepore exult and triumph in being exempt from the Opium engagements which are considered to have been enforced on neighbouring states in violation of their independence.

Mr. Cavendish† observes, that none of the states under his official cognizance, have entered into Opium engagements. The rulers of Joudpore and Jesselmere, complain of the scarcity and dearness of Opium, the latter of the falling off of his transit duty. The Kishengurh Rajah is well pleased with the arrangements, as his country has become a grand emporium for the drug. Mr. Cavendish also gives some details regarding the extensive exportation of contraband Opium from Malwa, by the Menahs of Oudeypore, Kotah and Bundu, which is either sold for money at Kishengurh, or there exchanged for goods; the Rajah of that petty principality having formerly declined to enter into a treaty with us.

The territory of Sirowey‡ is in no way affected by our Opium engagements, Captain Spiers states, however, that some of the mercantile classes who had recently returned from Malwa to their ancient homes in Sirowey, in talking of those arrangements, question their

\* Officiating Political Agent at Jyepore, April 20, 1828. † Political Agent in Ajmeer, April 19, 1828.

‡ Sirowey, May 31, 1828.



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their justice, and describe them as cramping all speculation in trade, and as being likely to ruin the commerce of Malwa.

Major Caulfield\* is deeply impressed with dissatisfaction engendered by the system under discussion, which is unpopular with every individual, however high or low he may stand in society. The forced reduction of the cultivation of the poppy must injure the Ryots of Malwa, as they find difficulty in substituting any other article yielding an equal profit. Opium being the staple commodity of the Kotah country in particular, the suppression of the exportation must be attended with very alarming deterioration of the revenue of the Prince, and with serious loss of profit to the merchants. The ruler of Kotah may be considered, perhaps, as receiving from the British Government a fair indemnification personally, and as a sovereign for the loss inflicted by the Treaty, though not for what he might gain, if like the celebrated regent Zalim Singh, he entered largely into commercial transactions; but in a political light he must be a great sufferer, as the present Raj Rana has incurred much odium among his subjects, by concurring in our views. The manner in which the search for smuggled Opium is conducted at Kotah, is considered by Major Caulfield to be highly offensive and oppressive to the people; and the frequent remonstrances which, to ensure the due enforcement of the whole system, our agents are obliged to address to the native governments, cannot be otherwise than painful and distressing to them. The treaties were entered into by the native Princes, on a principle of deference to the supreme power of the British Government. They consider them injurious and humiliating, and would gladly be released from them, provided they are not exposed to the consequences of other and worse measures adopted in their stead. Major Caulfield does not think that any modification of our Treaties, which he states to be as liberal as they well can be, would render them palatable to, or consistent with the interests of the states in which the poppy is cultivated. He doubts whether any great actual reduction of the poppy cultivation has been as yet effected under the system introduced in 1825, and believes that a very considerable quantity of the drug finds its way from Malwa and Rajpootana to Demaun, spite of all our restrictions, it being transported both in small quantities by separate individuals, and by large armed bands of Meenahs, who set the constituted authorities at defiance.

Lieutenant Hislop enters into a highly able and comprehensive discussion of the whole question, under six different heads. The results and conclusions at which he arrives are in substance as follow:

Between 1819 and 1825, the price of Opium varied from 21½ to 8½ rupees the seer; in 1825, they fluctuated between 8 and 10 rupees the seer. In 1825-6, when our restrictive system was introduced, the price suddenly fell to about rupees 4½ the seer, in the Kotah territory, whilst in the neighbouring dominions of Sciudia, it retained its former rate. The difference has gradually been lessening, but still amounts, in the average, to nearly one rupee in the seer. Lieutenant Hislop doubts, whether any thing can be found in the history of Sahookaree rapacity, of which so much has been said, to equal the injury inflicted on the cultivation of the soil by this arbitrary and enormous curtailment of its natural

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\* Major Caulfield, March 20, 1828.

natural profits. Lieutenant Hislop is also of opinion, that the price paid to the cultivator under the present system (rupees 23 the punsuree) is insufficient to enable him to meet the contingencies of seasons, and that he is still further injured by that article of the Treaty, which provides for the forcible reduction of the Opium culture to the extent of one-fourth, as the general state of the market for agricultural produce is not such as to afford him any other more profitable mode of employing his labour and stock.

The injurious effects of our measures on the interests of the mercantile body, cannot be questioned. The consequences of a change from a state of constant war and internal disturbance, to one of peace and tranquillity, are said to have been an excessive production, and a glut of all commodities. The increasing demand for Malwa Opium, subsequent to 1819, had brightened the hopes of the merchants of Central India, but when that profitable source of traffic was closed against them by our interference, their ruin as a body became complete.

Lieutenant Hislop then proceeds to show that the Raj Rana, if his own statements are accepted, incurs an additional annual expenditure of Rs. 32,801, in consequence of his Opium engagements with the British Government, or, taking the view of the subject most favourable to ourselves, his utmost gains cannot be said to exceed Rs. 15,354. This pittance must form a poor compensation, indeed, for the sacrifice of feeling, both personal and political, which our arrangements occasion to the ruler of Kotah. Strong instances are adduced by Lieutenant Hislop, to show how degrading our system of searching for and seizing contraband Opium necessarily is to the Prince, and insulting and oppressive to the mass of the community, in its practical operation, although every disposition may exist on the part of the agent to exercise his interference in a spirit of mildness and forbearance.

Lieutenant Hislop denies that the states of Boondce and Kotah voluntarily entered into the Opium Treaties with us; and proves, by a reference to the Public Records, that throughout the discussions they manifested the utmost aversion to those engagements; that the Boondce authorities submitted to them only when the question was reduced to a choice between the friendship or enmity of the British Government; and that the Raj Rana, with the strongest impression of their injurious effects, had always declared that he agreed to them solely in deference to our will and pleasure.

The acting agent thinks that it is impossible to effect reduction to the extent desired, in the cultivation of Malwa Opium, without exercising a direct scrutiny and interference which the Treaty does not give us, and against which the Raj Rana would certainly remonstrate in the strongest manner. Details are submitted at length regarding the extent to which the unlicensed traffic in Opium is carried on by the N.W. route through the Oudeypore and Boondce countries, and the serious character of daring violence and enterprize which it has latterly assumed. The great and prominent defect in our measures is that they do not include much more than one-half of the territory in which the poppy is grown, the whole of Scindia's extensive possessions in Malwa being exempt from their operation. Such are the nature of the intervening countries, the adventurous daring and turbulent character of some classes of their inhabitants, and the high rewards given by the Sahookars, that, with every exertion of the native governments, who receive pecuniary compensation from us, it is impossible to stop the exportation. The troops  
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of the Boondee state have already suffered severely in their conflicts with large armed bands of smugglers; yet it is calculated that, during the last year, not less than ten or eleven thousand maunds were carried out of Malwa through the Boondee and Oudeypoor territories, whilst the quantity seized and confiscated did not exceed 600 maunds.

Deeply convinced that the just and due maintenance of our supremacy in Central India is incompatible, as well in principle as in practice, with our monopoly of Malwa Opium, Lieutenant Hislop thinks that the wisest and most politic course would be to absolve such states as may desire it from their engagements, even though the utter ruin of the Bengal monopoly should be the consequence. At the same time that this option is allowed, he conceives that a modification of the existing system might be offered for their free and willing concurrence, having for its leading objects to make the Malwa monopoly to the utmost extent beneficial to the states and people who are affected by it, and, at the same time, to maintain the value of the Company's Bengal monopoly. The first step for the accomplishment of the former object, and which at the same time would not be inconsistent with the latter, is to divide more fairly and equitably than at present, the profit drawn by the British Government from the sale of the Malwa Opium. Thus upon the quantity furnished by the Kotah government annually, that state receives only 1,62,000, whilst we take the lion's share of 5,86,920. The acting agent concludes, however, by observing that, on the whole, he feared it is not possible to strike out any modification of the existing system, by which we can secure our object of limiting the supply of Malwa Opium, and at the same time sufficiently conciliate the several interests affected by our arrangements. The cultivator wants unrestricted cultivation, the merchant perfect freedom of trade, and the ruler what will satisfy these two most important classes of his subjects, and preserve the independent authority and dignity of his government. In fact, with every one of these wants, the due enforcement of our restrictive system is quite incompatible.

Major Sutherland\* commences with referring to a Letter which he had addressed to the resident whilst acting as political agent in Oudeypore, at the end of 1826, reporting on the complaints which had reached him from several of the inhabitants of the provinces, on the subject of our Malwa Opium arrangements. He thinks that the interests of the cultivators are less injuriously affected by our arrangements than those of either the merchants or the rulers of the states to which they extend, under the supposition that a remunerating price is given, and that no measures have been taken for directly limiting the quantity of the poppy cultivation in the province. On the other hand, there can be no doubt but that the interest of the bankers and merchants of Central India have been most injuriously affected by our measures, and they loudly complain of them. Opium is now considered the great staple commodity of these countries, and our treaties, which bind their rulers to give up to us all that is raised in excess of the quantity required for home consumption, are nearly destructive of all foreign trade with other regions of India, and with those beyond the Indus. Major Sutherland considers the insolent and overbearing

\* Major Sutherland, formerly Head Assistant to Resident at Delhi, and Acting Agent in Meywar, dated April 25, 1828.

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overbearing conduct of the spies and menials employed under the political agent in Meywar, in enforcing the restrictive system, to be one of its worst evils, and mentions an instance which had come under his own observation, of the excesses they are in the habit of committing. Neither persons nor property can pass through Meywar without undergoing a degrading and vexatious search, if such be their pleasure. That such a system is injurious to the honour and independence of the state in which it is carried on cannot be doubted. Even the Maharana of Oudeypore appeared to feel it as such, although caring little for the interests of his people, so long as he derived a profit from the compensation granted to him in lieu of transit duties formerly levied on the drug. The minister's statement left in Major Sutherland's mind the impression that the treaty with the Oudeypore government had not been negotiated on terms of equality, but that the Rana's assent being required by the political agent, it was given. Major Sutherland further thinks that all our Opium treaties in Rajpootana have been submitted to from deference to the will of a superior power, and never cordially and voluntarily adopted. Those states which have kept clear of them have obtained credit in the general estimation. Another evil of no small magnitude is the difficulty which those to whom Opium is a necessary of life experience in procuring the drug, and the high price at which it is procured under the existing system. Although the search for contraband Opium has been carried to a greater extent in Oudeypore than elsewhere, yet in all quarters the inquisitorial powers with which our servants are necessarily vested, must be alike offensive to the rulers and vexatious and oppressive to the people, and consequently odious and unpopular. Notwithstanding the harassing measures pursued to check it, a considerable quantity of Opium is smuggled into countries beyond our reach, even through the Oudeypore territory. In fine, considering it quite impossible to reconcile our interests in the question with those of the other parties concerned, Major Sutherland's opinions are entirely adverse to the maintenance of the existing attempts at control and prevention.

Captain Cobbe,\* who arranged our Opium Treaty with the Maharana of Oudeypore, is of opinion that the cultivators in that territory have been very slightly affected by our restrictive measures in any way, certainly not unfavourably. The high tax levied in Meywar on the lands appropriated to the poppy, and the low comparative estimation in which the drug produced there is held by the Rajpoots, are probably the causes, he observes, why the cultivation has always been very limited, and has never, in fact, nearly equalled the local consumption.

In considering the effects of the restrictions on the mercantile classes and general trade of the Rana's territories, Captain Cobbe enters into some detail. As far as the direct trade is only concerned, he maintains that they have not been disadvantageous; but it is obvious, he adds, that the transit trade must suffer materially, "except a barterable substitute for the drug can be found." He does not think that it would be difficult to provide such a substitute, and is of opinion that practically the restrictive system has (confining his observations to Meywar) occasioned little or no loss to the cultivating or mercantile

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\* Captain Cobbe, Political Agent in Meywar, or Oudeypore, June 25, 1828.

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mercantile classes, and that with a little attention on the part of the Rana's government, it may in a few years be rendered advantageous to his country.

Captain Cobbe asserts, that to the Maharana personally our arrangements are certainly favourable, and that the treaty with him was entirely voluntary on his part, and approved by his son and principal officers after full and free discussion. The only object of interest to that prince and his advisers seemed to be to secure the largest possible amount of bonus or remuneration. Since the conclusion of the treaty, the enormous sums derived from the confiscations have unquestionably rendered it a very profitable engagement both to the Maharana and to many of the chiefs and other inhabitants, who have been successful in intercepting the illicit convoys, and consequently, so far from wishing to cancel the present agreement, both the sovereign of Odeypore and his chiefs would regard the abolition as a very severe misfortune, and anxiously deprecate it.

The route through Meywar is so direct, short, and in every way convenient, that Captain Cobbe conceives a constant and vigilant attention on the part of the British officer resident at that court will be absolutely necessary for some years to come; but he is sure that the late ruler did not, and firmly believes that the ruling prince does not, consider the mode in which that vigilance is exercised as incompatible with or encroaching on his sovereign rights. Such indeed is the want of confidence which they feel in their own kamdars and public officers, that nothing would induce the Odeypore government to take into its own hands the charge of managing the system of preventive measures. Captain Cobbe also denies that the mode of conducting the system of search and seizure is vexatious to any except those concerned in the illicit traffic. In support of this view he goes into some explanatory details.

Finally, Captain Cobbe declares his conviction that but a very small quantity of Opium has passed through Meywar, and the very heavy seizures made and daily making in that territory, combined with the enhanced price of Opium at Polee, would seem to show that the measures in force under his superintendence have been completely effectual.

Major Fielding\* confines his answer to some general observations on the reluctance indirectly manifested by the Durbar of Gwalior to enter into our Opium engagements, and a recommendation that we should not press the proposed Treaty on the Scindia state.

Captain Borthwick† thinks that our Opium Treaties in Malwa have produced a certain degree of dissatisfaction, chiefly on account of their having been only partially introduced into that region. The merchants, he observes, are doubtless discontented at being excluded from all participation in the high profits yielded by the external trade in the Opium; but even to them the arrangement has not been without benefit. It has entirely put down that system of excessive and inordinate speculation which prevailed among the Sahoo-kars, to the irretrievable ruin of many, a system which had begun to pervade all their dealings, and was the cause of frequent and urgent appeals to the local political authorities from different authorities for their interference to stop it. It was not until the introduction of the Opium agent that the gambling system of the Malwa Sahoo-kars, which

\* Acting Resident at Gwalior, April 24, 1828.

† Captain Borthwick, Political Agent at Mahedpore, May 14, 1824.

which had been the ruin of thousands, was put down. If our arrangements were extended to Scindia's districts, and the stipulation enjoining reduction of poppy cultivation modified, Captain Borthwick conceives that all dissatisfaction on the part both of the rulers and the cultivating class would cease, and their engagement with us would be received by them as one conferring secure and substantial benefit. The rulers in the Mahedpore circle, as it is, admit that the prices which they receive for their Opium, including the bonus and profits, is highly liberal, and dwell with satisfaction on the security and regularity of payment with regard to the cultivators; they never before received so high a price for their produce as they do now, excepting for a short period immediately preceding the introduction of the present system, during which Opium was raised by excessive speculation to an unparalleled value.

Captain Borthwick declares, that he had not found it necessary, for the due enforcement of the stipulations of the treaties, to deviate in the slightest degree from the general principles by which the exercise of our political superintendence in Malwa has been regulated, or to exercise any minute scrutiny or rigid control, at variance with the sovereign rights of the native states. The system of prevention he considers to have been effectual in his circle, and not a single attempt has occurred in that quarter to force Opium out of the province by armed parties. The preventive system, no doubt, has its attendant evils in the encouragement which it gives to informers, but these affect chiefly the smugglers and others who act in collusion with them. The reduction of cultivation has been trifling, and ought not, he thinks, to be insisted on.

Captain Borthwick states, that no means in the remotest degree compulsory, were resorted to by him to obtain the concurrence of the chiefs under his authority in our treaties. After fully explaining the strict prohibitory regulations that were in force against the transportation of Opium through our own territories, and the means we would endeavour to *obtain*\* to prevent its passage through those of our allies on the confines of the province, and adding such reflections on the ultimate consequences of the extravagant speculations in Opium, which prevailed at the time as those proceedings suggested, he left each and all the states and authorities concerned, to accept or decline them as they might think fit; clearly and distinctly giving them to understand, that it was optional with them to do so or not.

The opinions of this officer† coincide in substance with the foregoing statements and sentiments of Captain Borthwick. He does not consider the existing system to be oppressive, injurious or productive of general dissatisfaction; nor does he admit it to have failed in its operation. It occasions loss, however, he acknowledges, to the wealthier class of merchants, who are thereby excluded from a profitable branch of trade. He recommends the extension of the system to Scindia's districts, and is of opinion, that the native chiefs and princes within his circle are not desirous of receding from their engagements. Captain Pringle adds, that when any natives have insinuated in his presence aught against the justice of our Opium measures, he has requested them to consider for a moment the great expenditure of the British Government in Malwa, incurred

\* Original. † Captain D. Pringle, Acting Agent in Bhopawwe.

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incurred entirely in maintaining the public peace, a matter in which their interests are principally concerned, compared with the insignificant amount of its receipts; and also the great benefits which have accrued to the different chiefs, by being relieved from the maintenance of the bands of foreign mercenaries whom they were obliged to support formerly, to secure their very existence, and who not only devoured the substance of their masters, but preyed also on the vitals of their subjects.

Only one state in this division is under Opium engagements, that of Peertaubghur. Lieutenant Pasley\* does not think that the agreement is looked upon favourably there, or that it is conducive to the prosperity of the Raj; but does not consider its stipulations as degrading to the Prince, or the mode of conducting the search for smuggled Opium as vexatious to the people. He is of opinion, that until Scindia enters into engagements similar to those which have been concluded with the other states of Malwa, no great advantage will ensue to the British Government from the maintenance of the present system.

The districts in which this officer† is employed are either British territory, or held by us under a permanent lease; and his answers do not throw any light on the general question.

Captain Alves‡ states, that in 1824, whilst employed under the orders of the resident at Indore, he concluded treaties for the restriction of cultivation, and for the future yearly supply of Opium, with the chiefs of the petty principalities of Dhae, Dewas and Amjhera. Those chiefs evinced a perfect willingness to enter into the proposed arrangements, more perhaps from a sense of the obligations they owe to the British Government, than from any particular wish for such engagements. In carrying their provisions into effect, Captain Alves had no occasion to adopt any measure which would involve the smallest sacrifice of the existing good feeling on the part both of the chiefs and their ministers towards our supremacy. He thinks that no material decrease of poppy cultivation has as yet taken place in Malwa consequent upon the new system; and that until some permanent arrangement is entered into with Scindia, no extent of internal interference and vigilance will ensure the prevention of illicit exportation.

The States under the Bhopal agency, who both furnish Opium and are bound to aid in preventing its exportation, are Bhopal itself, Rajgurth, Nursinghur and Kilcheepore. Captain Alves adverts to the measures pursued when we first appeared in the Malwa field as Opium purchasers, and states his belief that a want of system in the commencement of our operations did irremediable injury to the Company's interests, excited strong feelings against all our subsequent measures, and deprived us of that co-operative aid, which, under better management, we might have been able to secure from the people of the country. He considers that the evils which our system is believed to have created, extend chiefly to the Sahookars, by diminishing their transactions and rendering their profits small and uncertain. Some loss must be occasioned both to the Chiefs and Ryots, if a reduction of the cultivation should take place, which has not hitherto been the case; and

\* Lieut. Pasley, Acting Agent in Saugor and Kauntal, May 12, 1828.

† Acting Political Agent in Nimar, Captain Spiers.

‡ Captain Alves, Ditto in Bhopal, April 24, 1828.

and it seems doubtful whether in the larger states any direct measures for suppressing the growth of the poppy would be attended with success. If Opium engagements were made with the Gwalior Durbar, we should be enabled gradually to withdraw from that system of internal scrutiny, and the frequent employment of spies and emissaries, which undoubtedly constitute the most offensive part of our arrangements, and limit the use of the right of search to special occasions only, where universal and excessive smuggling might be discovered. Until Sindia's territories are included in our plan, a most extensive system of smuggling will continue to prevail, spite of all our precautions. The continuance, for any long time, of the present state of things, arising out of the system now in force for the protection of our Opium monopoly, must, he conceives, be viewed by Government as full of objections; our objects are but indifferently attained by a perseverance in it; whilst it may be presumed to keep alive a feeling of irritation and anxiety in the minds of the chiefs, in whose territories our emissaries are secretly employed, and of the Sahoo-kars, whose uncertain success in smuggling must keep their finances in a state of constant fluctuation.

Captain Alves hesitates to recommend any essential change in the present system, because he believes that much has been already effected to prevent the Opium reaching the coast in large quantities, and because our retiring from interference at this late period would not gain for the Government a just appreciation of the motives which dictated so beneficent and conciliatory a measure. He suggests, however, the gradual withdrawal from that internal scrutiny and vigilance, which places in the hands of low emissaries a power they must often abuse, and repeats his conviction that this might be done with safety, if Scindia's districts were brought within the sphere of our operations.

Captain Johnston,\* the assistant, in a memorandum which accompanies, declares that the treaties concluded with the above states were entered into with the free will of all the parties, though perhaps they would be better satisfied to be without them. It is allowed by all that the treaties are injurious to the Sahoo-kars. The situation of the cultivators is less effected by them, but they also are thought to suffer. The state of Bhopal has always made objections to restricting its cultivation within fixed limits. The plan of keeping establishments within the territories of other states for the seizure of smuggled Opium is necessarily offensive, and the misconduct of persons placed in situations of temptation, such as this is, cannot wholly be prevented; but these restraints cannot be dispensed with, and there is no saying to what extent smuggling might be carried if we neglected all precautions of the kind.

Mr. Maddock† observes, that Eastern Malwa is only the belt or termination of the Poppy District. The quantity of Opium which it produces is a very insignificant portion of the whole produce of Malwa; and this tract is only of importance to the general system, as it forms the eastern boundary of the Opium country, along which it is thought necessary to adopt prohibitory measures against the transit of the drug.

The effect of our Opium Treaties in Eastern Malwa cannot, Mr. Maddock thinks, be injurious to the Ryots in general, for he does not see how they are likely to diminish the profits

\* Captain Johnston, formerly Assistant at Sehor, and Acting Agent.

† Mr. Maddock, Agent to the Governor General, S. and W. Territories, May 11, 1828.



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profits they derive from the cultivation of the poppy, the high or low price of which little affects them, further than leading to more or less land being employed in that species of cultivation. This opinion is founded on the belief that the Government demand always increases according to the profits of the Ryot, and the reward of his labour will not long remain greater in one kind of employment than another. But the poppy cultivation is advantageous to a village, as it gives employment to a number of its inhabitants at a season of the year when there are no other crops to attend to; and if a large portion of the poppy fields has been thrown out of cultivation by the stipulations which chieftains have entered into to that effect, the agricultural population must have lost employment and suffered accordingly. Mr. Maddock is not aware whether the cultivation has actually been diminished under the Bhopal agency, as the chieftains in that circle have not been called upon to diminish it. He conceives, indeed, that it would be regarded as a very arbitrary and tyrannical act on the part of any of the rulers in Malwa to compel their Ryots to diminish the extent of their Opium fields, and that any vigorous attempts to curtail the cultivation and limit it to a fixed amount would be productive of general oppression and individual injury, and bring a load of odium on the British Government. Such being the case, it has always struck Mr. Maddock with surprise, that the object of restricting the cultivation of Opium was made a matter of direct stipulation, and that we did not rather leave the extent of the poppy cultivation to be regulated by the same cause that increases or diminishes the production of any other article, *viz.* the demand for it in the surrounding markets.

The great Sahookars of the country, the former purchasers and exporters of Opium, are perhaps the only class who have any good ground to complain of our measures; and it is no satisfaction to them to be told in reply to their complaints, that their own speculations in Opium on an extensive scale are of recent origin. Admitting, however, that they have suffered loss, it does not follow that they have sustained injustice. In all governments, measures must occasionally be necessary for the public good, which cannot be enforced without injury to some particular class. No attempt to change the direction which the industry of a people has taken can be made without individual injury, though public benefit result from the change. In the present instance the security of an important branch of the public revenue is an object of more consideration than the profits of a few great merchants in Malwa. Our measures as above, however, must of course be unpopular, although injustice cannot fairly be charged to the British Government in their adoption.

With regard to the effects of our Malwa Opium system on the native Princes, Mr. Maddock is of opinion that, in point of revenue and profit, they have no reason to complain. He inclines to think, indeed, that we have preserved to them an extraordinary revenue, which, without our interference, they could not long have retained. Unrestricted cultivation of the poppy would in a few years have reduced the rent of the poppy fields; unrestricted exportation would have reduced the value of the drug; and the prosperity of the country, as far as it depended on the stimulus given to trade and agriculture by the opening of the roads from Malwa to the sea-coast, would have suffered a serious reverse. From this the country has been preserved by the measures of the British Government, and the cultivation of the poppy, if less extensive, is more profitable  
now

now to the Princes of the country than it would have been if we had never interfered with it. It is to be recollected also that if the British Government had pursued a different policy, as it might with perfect justice have done, and instead of entering into stipulations with the native states of Malwa for the purchase of the Opium destined for exportation, had contented itself with prohibiting the transport through places subject to its own jurisdiction, and purchasing the right of exclusion in other places, the consequences would have been more injurious than any of which they can now explain. Mr. Maddock is fully sensible, however, that the scrutiny and interference which the present system involves, and the exercise of the right of search and seizure through the medium of the lowest of our servants, are objectionable in principle, and must be offensive and injurious to the independence of the native states. Mr. Maddock did not foresee the necessity of keeping up establishments in the territories of the states subject to the Bhopal agency, to enforce the prohibition against the transit of Opium through them, at the time the Treaties were first made: and if they are necessary, he observes, it must be inferred that, however cordially the rulers of the states may have appeared to acquiesce in our plans, they are not really favourable to them.

The agent denies that our influence was unduly or unfairly exercised to obtain the concurrence of the native states of Eastern Malwa in our Opium Treaties, or that their interests, feelings and wishes were neglected or wantonly sacrificed in the negotiations. He thinks our objects in these Treaties have been so far attained that the cultivation is rather on the decrease than otherwise, and that the obstacles which have been placed in the way of exportation, have made it too difficult and precarious to be attempted to any considerable extent.

The state of Bhopal has manifested an aversion to our Treaties, arising from a peculiar source, not because they were deemed unjust, or because the terms of them were unfavourable, or the mode of enforcing them objectionable, but because their objects were mercantile. Adverting to this feeling on the part of a petty state like Bhopal, the agent takes occasion to remark, that the British Government has, perhaps, lowered its character and compromised its dignity unnecessarily, by entering direct into petty commercial contracts with the Princes of the country, when our object, perhaps, would have been equally secured through the medium of inferior agency.

Mr. Maddock adds, that the questions of justice and good faith apply, he presumes, only to our dealings with those states in whose territories the Opium is produced. If the engagements they have entered into were not extorted from them, but were voluntarily contracted, are liberal on our part, and on the whole advantageous to them, he can see no injustice or bad faith in our proceedings. If Kotah, or any other inland state, wishes to be released from its Opium engagements, the point should of course be conceded; but the British Government would not, in that case, be bound to relax in its endeavours to prevent the transit of Opium through the surrounding and intervening states to the sea coast, and thus those who stand aloof from connection with us in the Opium monopoly, would find themselves deprived of a beneficial market for their produce, and discover that the terms which we have granted are highly favourable to their interests. One of the real objections to our system, that of attempting to limit cultivation by direct interference, Mr. Maddock proposes to remedy by omitting the clause altogether in the Treaty.

**Opium.**

**Treaty.** The other objection, that of our internal interference in enforcing the seizure of contraband Opium, he fears cannot be overcome, unless the system is radically altered, or the native rulers take more interest in its success than they appear to do at present.

Should the Government retire from the Malwa field as the great purchaser and monopolizer of Opium, Mr. Maddock thinks it might still be practicable to preserve the Bengal monopoly by obtaining the power of regulating the duties on Opium, in transit to the coast, and in the districts which produce no Opium through which it has to pass; and in that case we might impose such rates as would be a sufficient check to exports from Malwa, and annihilate the export trade in that direction altogether. He thinks that the duties in these districts might have been and might still be farmed to a British commercial agent; a principle of procedure which would not be at variance with the practice of native Governments, or calculated to give offence. If the general principle of the present system is to be adhered to, Mr. Maddock suggests in conclusion, that two modifications should be adopted; 1st, instead of the price now paid for a limited supply of Opium, *viz.* 30 rupees per punsuree, and 5 rupees bonus, altogether 35; the Government to receive any quantity of Opium of prescribed quality, that may be tendered at the price of 26 rupees per punsuree: 2d, instead of a bonus on the quantity of Opium supplied, and a share of the profits arising from its sale, the Company to pay a fixed sum per annum, equal to whatever is now paid above 26 rupees per punsuree, to the native Prince, in consideration of his strict performance of the duty of preventing exportation. The agent conceives that by these means the poppy cultivation would most likely decrease for want of encouragement, and the sum to be paid to each native Prince would be so considerable, that if his co-operation is to be obtained by making it his interest to co-operate, his exertions might be expected to be greater than heretofore, and all that would be wanting to make the system as little objectionable as possible would at once be attained, if he took an interest in its success, and by his own exertions prevented the necessity of our employing our own agents in his jurisdiction.

No direct answer has as yet been received from the Bombay Government\* to the Circular Letter of the 21st March 1828, but on the 8th July, the Chief Secretary forwardeed a Minute by Mr. Warden, on the subject, and stated, that the replies of the residents and political agents under that Presidency, would be forwarded as soon as received. On the 22d August,† the Supreme Government requested to be favoured with a communication of the sentiments of the Governor in Council of Bombay, on the suggestions and propositions contained in Mr. Warden's Minute, and this call was repeated on the 7th of February last.‡

In the mean time instructions have been issued on the date noted in the margin,§ founded on a Despatch received from the acting political agent at Kotah,|| directing that the British Agents abstain from all authoritative interference with, and from all control and scrutiny respecting the cultivation of Malwa Opium.

There is now before Government a Despatch from the resident at Delhi,¶ enclosing one from the superintendent of Mairwarah, describing the attempts which are made to export

Malwa

\* Bombay Government.

† Ditto, No. 3.

‡ Ditto, No. 26.

† Political Consultations, August 22, 1828. Nos. 1 and 2.

§ Ditto, April 10, 1828. Nos. 27 and 28.

¶ Ditto, June 2.

Malwa Opium across that tract, and the effects of that employment in demoralizing the Nairs, and disorganizing the country.

ADMINISTRATION  
OF MONOPOLIES.

Opium.

(Signed) A. STIRLING,  
Deputy Secretary to the Government.

(True Copy.)  
(Signed) G. SWINTON,  
Chief Secretary to Government.

RESOLUTION of the Right Honourable the Governor-General in Council in the Political Department, under date the 19th June 1829.

No. 49.

THE Governor-General in Council, having taken deliberately into consideration the several Despatches received in reply to the Circular Instructions dated 21st March 1828, and subsequent correspondence, proceeds to record the following observations and resolutions on the subject of our Malwa Opium arrangements.

Although some difference of opinion exists among the authorities employed in Malwa and Rajpootana, regarding the practical effects of the Opium Treaties upon the prosperity of the country at large, and the feelings with which they are viewed by the native Princes; the general tenor of the evidence now before Government, leads irresistibly to the inference that evils of a very serious nature are inflicted by our monopoly system in Central India, on all who fall within the sphere of its operation.

It has been found altogether impracticable to enforce that part of the original scheme, which contemplated a positive reduction of the quantity of the poppy cultivation; and we have already therefore determined to abstain from any direct interference with the production of the article, and have instructed the local authorities accordingly.

Nearly all our agents concur in representing that our measures for controlling the transit and exportation of Malwa Opium, are vexatious and oppressive to the people, unpalatable and offensive to their rulers; whilst we have abundant proof of their imperfect efficacy in the continually increasing prevalence of smuggling, and the yearly augmentation of the export of the drug from Diu and Demaun to the China market. The intervention of Scindia's scattered and extensive possessions, which it has been found impossible to include in the general arrangement, would alone defeat our hopes of preventing the escape of contraband Opium in considerable quantities from Central India. And further, the temptations to smuggling are so powerful, the pursuit of the illicit traffic is so congenial to the tastes and habits of the wild tribes and dissolute adventurers who abound in Malwa, and the public sentiment is necessarily so hostile to our monopoly, that it may reasonably be doubted whether the native states, however well disposed to co-operate, and anxious to fulfil their engagements, are strong enough to carry the system into complete effect, either with or without the constant and minute interference of our local agents. In the mean time, there is reason to fear that the repeated and desperate efforts made to pass the Opium beyond the limits of our restrictions by large armed bands of smugglers, and their open systematic defiance of the local authorities whilst engaged in the enterprize, are operating to demoralize and disorganize the country, and

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to revive the ferocious and turbulent habits of the Meenahs and other uncivilized tribes, in a degree which demands the most serious consideration.

It is difficult to believe that a system of monopoly unavoidably fraught with so many evils, and which, if successful, must destroy the internal trade of the country, by depriving it of the most valuable article of commerce, can really be palatable to the native rulers who have entered into Opium engagements with us, or indeed otherwise than extremely hurtful to their feelings and interests. We have ample and positive evidence, that the treaties are loudly complained of by the states of Boondee and Kotah, two of the most important members of the restrictive confederacy, who have repeatedly solicited to be released from their obligations ; and whenever an option has been clearly and unequivocally allowed, as in the case of our negotiations with Jyepore, Kishen Gurh and Scindia's Government, our proposals have been uniformly rejected.

Impressed with this view of the subject, and being quite unable to devise any middle course of procedure which affords the promise of satisfactory results, his Lordship in Council cannot avoid the conclusion, that we are bound by paramount considerations of justice and good faith, to withdraw altogether from interference with the growth and transit of Opium throughout Central India, confining our restrictions upon exportation to our own territories, and to Guzerat, Kattywar and Cutch, where the prohibition should still be maintained by the Bombay Government, as it appears from the communications of the Honourable the Governor in Council, that no injury and discontent are produced by our arrangements, which have been in force for many years in that quarter.

His Lordship in Council resolves accordingly, that in the case of Odeypore, Boondee, and those states of Malwa and Rajpootana, where our Treaties provide merely for the prevention of the transit of Opium, they be relinquished immediately, under that article which leaves us at liberty to discontinue our Malwa Opium arrangements whenever we think proper ; and that every where our establishments be withdrawn from the interior, and the native chiefs relieved from these articles of their engagements, which prohibit independent exportation.

It will be for consideration in the General Department, whether the provisions of the existing Treaties relative to furnishing a supply of Malwa Opium, shall be kept up with any, and which of the Malwa states, supposing of course that they are willing to continue to deliver the article to us on the present terms, or any others that may be negotiated, and generally what measures shall be taken under this resolution to provide for the Bombay sales, and extend the cultivation of the poppy in Behar, or elsewhere, within the Honourable Company's Territories.

(Signed)              G. SWINTON,  
Chief Secretary to Government.

(No. 2, of 1830.)

No. 12.

Opium.

LETTER in the Separate Department, from the Governor-General in Council in Bengal, to the Court of Directors.—(Dated 3 August 1830.)

Honourable Sirs:

In the present Despatch, we propose to lay before your Honourable Court a succinct Statement of the measures we have taken, and propose to take, with respect to the revenue we have heretofore derived from Opium, the produce of Malwa.

2. The Bombay Government will have duly reported the proceedings and resolutions adopted by them towards the commencement of the past year, and will have forwarded the Minutes of Mr. Warden and of the Honourable Governor Sir John Malcolm on the subject, the result of which was a reference to this Government made in the Political Department, urging that measures should be adopted to augment the supply of Malwa Opium provided for the Bombay sales, and for consumption within our own territory, or that of our allies on that side of India.

3. On our proceedings noted in the margin\* will be found an extract from the proceedings in the Political Department, dated 15th May 1829, with a Resolution founded on the representations received from Bombay for augmenting the Opium provision in Malwa.

4. In forwarding this Resolution to the Opium agent, we expressed our concurrence in the views of Sir J. Malcolm, so far as to think it desirable that the quantity provided for Bombay should no longer be limited; but on the contrary, we desired the agent to extend his purchases as far as possible, consistently with the regulations as to price laid down in the instructions of this Government, addressed to the Board of Customs, Salt and Opium, on the 3d September 1824.

5. The demand in China we had noticed to be largely increasing, besides that the supply for local consumption was stated to be insufficient, we directed the agent's attention however to the necessity of vigilantly inquiring whether, under the name of local consumption, the article might not be carried through indirect channels for exportation by sea. In this observation we referred particularly to the large supplies required annually for Ahmedabad, which it will be seen we afterwards noticed more pointedly.

6. The next paper to which we have to draw your attention is the Resolution adopted in the Political Department on the 19th June following, for abandoning the system of restriction on the export and transit of Opium in Malwa, which was the basis of the form on which we then drew revenue from the article, *viz.* that of monopoly, or exclusive purchase for resale to exporters by sea. The grounds of this change of measures were in great measure political, and have been explained at length in that department. The resolution was transferred to the separate department, in which we now write, in order that it might be there determined what measures should be taken to maintain the revenue,

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or as much of it as was possible, under the new scheme of relations with the powers of Malwa, that would subsist after we had withdrawn from the engagement contracted for the prevention of the transit and exportation of the drug. The attempt to set restraints on the growth of the poppy had before been given up, under orders from this department; but the Opium agent had been allowed to make his contracts and arrangements for the ensuing season, on the assumption of the old system's continuance in other respects.

7. In this state of things our Secretary laid before us a note pointing out the difficulties of the position into which the concern would be brought by the sudden abandonment of the restrictive system.

8. In a Letter, dated the 6th June, the agent had recently reported the arrangements he had made to obtain a full year's provision, so as to allow a sale of 4,000 chests in Bombay, and meet the wants likewise of internal consumption. The sources of supply were, first, Treaty Opium furnished by states and chiefs at thirty rupees the punsuree, 10,063 Surat maunds;\* secondly, store of the preceding year in hand, about 2,000 Surat maunds; thirdly, by contracts with merchants, the agent had secured a provision of 4,550 Surat maunds, at nominal prices of thirty and twenty rupees the punsuree, but with the condition annexed of granting passes to Palee for twenty and fifty-five per cent. of the quantity delivered under the contracts. Of the above provision, 14,600 Surat maunds, equal to 4,000 chests of 140 pounds each, were for the Bombay sales, and the remainder to meet the consumption indents, amounting in the aggregate to 2,245 Surat maunds.†

9. We had to determine whether to prosecute measures to obtain the supply for Bombay under the altered state of things, and whether to continue to provide Opium for consumption in Ahmedabad and elsewhere, now that transit, and consequently purchase for the purpose would be free. But the question that most pressed was, what was to be done in respect to the contracts made with the condition of passes, and generally the footing on which the concern was to be carried on under the altered state of things produced by the abandonment of the system of restriction and monopoly.

10. The following is the substance of the instructions we addressed to the Opium agent on this important subject: "With respect, first, to the contracts made with the condition of passes, we observed that there need be no change made in granting them, until the Sahoo-kars ceased to require them, or complained that they were not productive of the advantage expected. In either of these cases it would, we conceived, be necessary to tender some equivalent compensation, if required, or any rate to allow the merchants the

* Surat Maunds	...	...	...	...	...	10,063
—	...	...	...	...	...	2,000
—	...	...	...	...	...	4,550

Surat Maunds 16,613

† Ahmedabad	...	...	...	...	1,947	0	0
Boondee	...	...	...	...	300	0	0
Nemoun	...	...	...	...	40	0	0
Dehlee	...	...	...	...	32	0	0
Doongurpoor	...	...	...	...	26	10	10

Surat Maunds 2,245 10 10

the option of being absolved from their contracts. Future purchases must, of course, be made without this embarrassing condition."

11. The former restrictions in respect to transit and export of the article having been taken off, we desired the agent not to consider himself any longer under obligation to furnish Opium for consumption to any state not within the limits still protected by restrictive arrangements. Boondee, Nemaum and Doongurpoor were in this predicament. Whether Ahmedabad was also expected, must depend on the nature of the arrangements that might be made at Bombay for preventing the exit of Opium by sea, that is, on the line which it might be resolved to guard for this purpose. If Ahmedabad should fall within that line, so as not to be accessible to traffickers in the article, it would of course be necessary to provide, on requisition, a sufficiency of Opium for the internal consumption of the protected limit, but it was to be hoped that at any rate the quantity heretofore indented for on account of the consumption of Ahmedabad would admit of decrease.

12. The agent was instructed to correspond with the Government of Bombay on this as on all other questions connected with the provision and dispatch of the Opium of Malwa; and we requested the Honourable the Governor in Council to make known to the agent his sentiments and intentions as to the future, consequent upon the resolution taken by the Governor-General in Council in the Political Department on the 19th June.

13. A question has been put in the Agent's Letter, dated the 30th June, regarding the expediency of granting passes for private Opium to be conveyed to Bombay, in lieu of compelling the merchants to take the western route for its exportation by Demaun. On this point we observed, that under the change of system resolved on, some plan of the description indicated in this suggestion would eventually, we did not doubt, be found expedient. But no regulation for imposing a *transit duty* to be paid for the advantage of the route could legally be enacted, we then conceived, without the delay of preparing and submitting the draft for approval in England. There were, however, other forms, in which we suggested that the Government might obtain an equivalent for the advantage of opening this route for the export of Opium the produce of Malwa, and under the resolution taken in respect to the local restrictions, we thought it highly expedient that recourse should be had to some plan calculated to secure to the merchants and capitalists of Bombay as much of the commerce as possible.

14. Two plans presented themselves to us, and we called for an early communication of the agent's sentiments as to the expediency of adopting one or both, as well as generally as to the course most proper to be followed for securing the revenue now realized, from much loss under the change of measures resolved upon.

15. The schemes which suggested themselves at that time were the following:

First.—That the Malwa agent should, at the proper season, sell by public auction passes to Bombay, with assurance of free export for a certain quantity of Malwa Opium. The proceeds to be carried to the credit of the concern, and fair intimation to be given to bidders at the Bombay sales of the number of passes so granted, and the quantity of Opium covered by them.

Secondly.—That the agent should open to the Sahookars of Malwa the privilege of having their Opium sold along with that provided by the agent at the Government sales of Bombay, on the condition that a certain portion of the purchase-money, such

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such as might be considered a fair equivalent for the advantage of the route, compared with the dangerous and circuitous one of the Desert, to Demaun, should be retained by Government.

16. We noticed that both these schemes presupposed the ability of the Bombay Government to oppose effectual barriers to the transit of Opium through their territory to the sea coast. The price yielded hitherto by the article at Bombay, compared with that of the Malwa purchases, showed the disadvantages arising from the existing restrictions to exceed considerably the cost price, that is, to be worth to the merchants more than half the Bombay value of the article, could they so purchase relief from them. Under the new system, the exemption would not, of course, be worth quite so much, but the passes would be thought still to have a very considerable value, and the plan of exposing them to the competition of bidders at a public sale promised to secure a nearer approximation than any other to the true equivalent advantage of the route, which was the only legitimate source of taxation and profit.

17. We directed the agent, in stating his sentiments on these projects, to include the consideration how far it would be necessary or proper to continue the annual provision of Malwa Opium by purchase on account of Government; and whether it would be advantageous to confine this to the Opium obtained under treaties, so as to avoid the collision that must ensue were the agent to be selling passes with one hand, while he was purchasing Opium with the other.

18. Major Stewart, the officiating Opium agent and resident at Indore, replied on the 26th of September to the above instructions. He stated that he had found it necessary to compound with the Sahoo-kars for the passes agreed to be given them for quantities proportionate to their deliveries, by an advance of the contract price; and it had been settled that they should receive forty-five rupees instead of thirty rupees, or twenty rupees per punsuree, for what they might deliver. On these terms the entire supply from this source had been secured.

19. He informed us that, of the Treaty Opium, there would be a deficiency of 1,500 Surat maunds from the Holkar state, and fifty from Dhar, but the rest would be secured. Consequently, if relieved from the necessity of supplying the Ahmedabad and other demands for local consumption, which might be supplied at the price of the day by other means, there would be no disappointment in the provision for the Bombay sales, notwithstanding the change of policy determined upon. Major Stewart, however, in this and a subsequent letter, dated 5th October, reported, that although deliveries of Opium under the treaties would be made in the passing year, none could be reckoned upon in future; for all the states, except two inconsiderable ones, had given notice of their wish to cancel the engagements they had entered into in regard to Opium altogether after the close of the season.

20. Having this report of Major Stewart before us, we proceeded to determine on the course to be adopted for the management of the concern in the season; and we felt indebted to Major Stewart for much useful information and intelligent reasoning to assist our deliberations on the subject. Assuming that we should agree at once to release the states and chiefs from all existing engagements, Major Stewart had stated that there were three forms in which the concern might be prosecuted; and he discussed each with  
much

much judgment, giving the result of his inquiries and information on the various points bearing on them respectively. The plans submitted by him were the following:

1st. To negociate new treaties for securing produce.

2d. To abandon the field as purchasers, and raise a revenue by granting passports to Bombay; and,

3d. To enter the market as purchasers of the drug.

21. To this last Major Stewart gave the preference, accompanying his arguments on the subject with estimates of the profit he reckoned to secure our purchases made at various prices, from forty-seven rupees the punsree to sixty rupees, and upon the assumption of a fall of price at Bombay not exceeding one-fifth, or 1,320 rupees the chest.

22. Our determination on this reference was conveyed in instructions to the following effect.

23. Approving highly of the measures that had been adopted for commuting the pass arrangement to an advance of price, we authorized the relinquishment of all existing engagements with native chiefs and powers at the close of the season; and on the three schemes proposed for the future, remarked as follows:

1st. The plan of opening fresh negotiations with a view to new arrangements with the states of Malwa, on the principle of procuring Opium through the chiefs, and associating them with the measures of Government by participation in the profits obtained from the source, appeared to us open to most of the objections which had led to the abandonment of the restrictive system; we therefore dismissed it as inexpedient.

2d. The second plan, *viz.* that of selling passes to Bombay by the direct route, had the advantage of obtaining for that mart the whole sea export of the article, which had hitherto been participated by the less favourable ports of Diu and Demau. The plan, too, had simplicity, promptness of realization, and other manifest practical benefits to recommend it, while it would save considerable expense in establishments, and relieve Government from the inconvenient and objectionable position in which it was placed by the necessity of raising its revenue through a commercial monopoly. We were therefore inclined strongly in favour of this scheme. Relying, however, on the agent's opinion, that Mahaguns and Sahookars would not for some time appreciate properly the value of the passes, and the importance of the privileges they would convey, we yielded to the force of the considerations which induced him at present to give a preference on the whole to the third of the plans stated, *viz.* that of continuing to make through the agent purchases of Malwa Opium for transmission to Bombay for sale. Major Stewart reckoned that the price to purchase would range from forty-seven rupees the punsree to sixty rupees, and that 4,000 or even 6,000 chests might be procurable in the year on these terms for the supply of the sales; also, that unless the fall of price exceeded one-fifth, there would still be a revenue, assumed at the lowest at 17 lacs upon the smaller quantity mentioned. The effect of the rise of price in Malwa upon production was not taken by the agent into account, nor the consequence of the efforts still making on this side to increase the Opium provision

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sion of Behar and Benares. We informed the agent that the number of chests of Opium to be brought to sale at Calcutta in the approaching season was no less than 8,778 chests, exceeding by more than 1,000 chests the large provision of the preceding year, and thence we saw reason to apprehend that a fall of price to the extent of one-fifth only was rather too favourable an estimate.

3d. With respect to the point adverted to in the 20th paragraph of Major Stewart's Report, *viz.* whether, continuing to purchase for sale for the public account, the Government should at the same time sanction the grant of a limited number of passes, for a consideration, direct to Bombay, for the purpose of securing that all the Opium of Malwa intended for China should be exported by that route, we stated that we had given to this subject the most attentive consideration, and the conclusion we had come to was, that it would be hazardous to the profit expected to be realized at the Government sales, and must interfere greatly with the agent's power of making local purchases, if this route were to be opened to private speculators simultaneously with the prosecution of the attempt to raise a revenue by purchasing and selling on account of Government.

24. Major Stewart, under our orders to consult the Bombay Government in his arrangements regarding the provision of Opium in Malwa, forwarded very properly to that Government copy of the Reports addressed to us, upon which we came to the determination above explained.

25. The Honourable the Governor in Council, having Major Stewart's Report before him, addressed to us on the 5th November last, a Report of his views as to the best way of carrying on the Malwa Opium concern, now that the restrictive system and the political arrangements for its enforcement were to be abandoned. The Governor in Council recommended the establishment of a commercial agency in Malwa, separate from the political office, for the purchase of the article in open market. The Governor in Council looked upon the advantage possessed by Government, in the direct route, as calculated to secure a profit on purchases, though made in the face of the freest and most active competition; for he doubted not his power to prevent transit of the drug to the coast, except by very circuitous routes. Some valuable information is added in respect to the charges of shipment at Demau, which are stated at fifty-five rupees, merely for the protection of the Portuguese flag, and regarding the advantage that would follow any plan calculated to draw the whole of this commerce to Bombay.

26. The point, however, most urged by the Governor in Council in this Despatch is, that the separate commercial agent should be an officer appointed by, and responsible to, the Bombay Government, who should act independently under its instructions, but in concert with the political resident. Adverting at the same time to Major Stewart's letters above referred to, the Governor in Council recommended the issue of passes conjointly with the purchases; and, to meet the wants of the Bombay market, he further requested that 2,000 chests of the Opium provided on this side of India, *viz.* in Behar and Benares, should be sent round to be sold at Bombay.

27. Before we had replied to this letter from the Bombay Government, we received a second, giving cover to instructions the Governor in Council thought himself warranted, by our reference to his judgment, in issuing to Major Stewart, strongly enjoining him to grant

grant passes immediately for as much as possible of the Opium about to be conveyed by indirect routes to Demaun, so as to ensure its conveyance to and shipment at Bombay, along with the provision made for the Government sales there. It was suggested to Major Stewart that he should fix 250 rupees as the consideration to be asked for the passports; and it was added, that the owners of the Opium should be "left subject to the customs payable to the states through the territories of which it would have to pass."

28. We felt ourselves placed in very embarrassing circumstances by this interference of the Bombay Government, and lost no time in communicating our sentiments to that Government and to the Opium agent.

29. With respect to the appointment of a Bombay civil servant as commercial agent for the purchase of Opium in Malwa, we observed, that we did not conceive Major Stewart to have recommended any separation of the agency from the political functions with which the concern was united; on the contrary, we thought there was advantage in the union, and that a separation would be of prejudicial influence, particularly so if the purchase and arrangements for the provision and dispatch of the drug were placed under a Bombay officer, while the political duties remained as at present.

30. We doubted the necessity or expediency of any transfer of the agency on commercial grounds, and did not look on the locality of the sales as a ground for the measure, more especially under the present uncertainty as to the footing on which it was to be carried on.

31. With respect again to the project of granting passes for transport of the Demaun Opium to Bombay, so as to secure the article for the latter mart, and obtain a revenue for the advantage opened to the merchant, we admitted fully that the measure would produce both benefits, but referred the Bombay Government to our Despatch to Major Stewart, and stated our adherence to the opinion before expressed, that this plan was incompatible with that of purchasing for re-sale. We pointed out that the necessary effect must be to limit the profit on the re-sales to what might be fixed as the consideration for the passes; that it would create a local competition in Bombay, interfering with the sales, and must embarrass the purchases in Malwa, by giving every holder the option of taking the chance of the Bombay sales, if he thought the difference of price or profit likely to exceed the price of a pass. We remarked also, that if the passes were so drawn as not to give free passage to the article in the hands of private merchants, that is, if they were left subject to arbitrary impositions and delays in crossing the territory of every petty chief, the instruments would be unsaleable except at very low rates; besides which the credit of the passes would be shaken, and the habit of disregarding the Government passports would affect imperiously all future arrangements.

32. For these reasons we expressed the determination not to interfere at present with the plan we had, at Major Stewart's suggestion, adopted for the season.

33. In the mean time the Despatch addressed by the Bombay Government to Major Stewart, on the 10th November, induced that officer, though very reluctantly, upon its arrival, to assent to the scheme of issuing passes contemporaneously with the provision of Opium by purchase for re-sale in Bombay. The officiating agent accordingly issued notices inviting tenders for passes, but five days afterwards receiving our Secre-

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tary's Letter, dated the 27th October, before referred to, wherein the incompatibility of the two schemes was strongly pointed out, he recalled his notices by expresses sent in every direction, and immediately gave notice to the Bombay Government that he had done so. Major Stewart wished, however, that the privilege of granting passes to a limited extent was still left in the agent's hands, in order to facilitate his purchases through the influence they would enable him to command; such an influence, added to the advantage of early appearing in the market with ready money, being looked upon by him as the only circumstances he could rely upon for favourable purchases.

34. We expressed ourselves as highly approving the promptitude of the officiating agent's determination to withdraw his notices regarding the issue of passes, thinking that had any been issued, they would have involved all the operations of the department here and at Bombay in great embarrassment, and must have produced perplexing claims of various kinds.

35. With respect to the view taken by Major Stewart, in regard to the advantage of reserving the power of granting passes as a means of influence, we stated that our opinion remained unchanged as to the inexpediency of mixing the two plans, so long as the scheme of purchasing was followed, and we had determined to give it a trial; we thought both that operation and the re-sales should be simplified as much as possible, so as to avoid mixing up with a monopoly speculation of our own the project of obtaining profit, in the form of a pass, upon the speculations of others.

36. We now have to notice three further Letters from the Bombay Government, dated respectively the 30th November and 5th and 11th December last, the first written on learning that Major Stewart had been induced to issue passports in conformity with the urgent suggestion of the Bombay Government, and stating the measures taken to invite the merchants of Bombay to apply for them to bring their Opium to that mart instead of exporting it by the indirect routes, and under the Portuguese flag, from Demaun; and the two latter reporting the steps which had been taken on learning that the intention to issue passes had been relinquished, in consequence of the orders received from us by Major Stewart.

37. In replying to these Letters, we referred the Bombay Government to the opinions we had frequently before expressed, against uniting with the purchases making for re-sale any scheme allowing the capitalists of Bombay and Malwa to compete with Government as purchasers in the first instance, and again as sellers at Bombay, which we noticed must be the effect of allowing passes to be issued simultaneously with the Government sales at the latter place.

38. We added some observations on the following points, which seemed to require notice, in the correspondence and despatches of the Bombay Government; *viz.*

First, Whether it was advisable to issue passes for the excess quantity of Malwa Opium, now ready for export to Demaun, as a present measure adapted to the particular occasion, independently of the general adoption of the scheme of granting passes and purchasing for re-sale simultaneously?

Secondly, Had the issue of notice by the agent in Malwa, offering passes, continued, with the measures taken at Bombay to spread the information that they would

would be granted, created claims or occasioned losses entitling the sufferers to compensation from Government ?

Thirdly, The speculators in Malwa Opium had been informed by the Governor in Council, that the Supreme Government would be urged to permit the Opium of the present season to proceed, under passes, direct to Bombay. Whether had any new claim been created thereby, or had the claims under the notice above referred to been strengthened by this further measure of the Bombay Government ?

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39. With respect to the first question stated above, it appeared to us that if the granting passes for a consideration, simultaneously with a continuance of purchases, were objectionable on general grounds, it could not be advisable to adopt the measure for the sake of the temporary profit it seemed to offer ; for to grant passes for the surplus Opium now in Malwa would bring the whole to Bombay, to be offered to the buyers of that sold by the Government ; and as it would have the same precise advantages for shipment, it was impossible to suppose that it would not, more or less, affect the selling prices. We admitted it to be quite true, as observed in the Bombay Letter, that the price in China, and the calculation of the speculators upon the total supply of the season, including that at Demau and elsewhere, as adequate or not to the demand there, must regulate the biddings at the public sales ; but although the quantity at Demau entered of course always into the calculation, it did not thence follow that this quantity must affect the calculation equally of the Opium at one port as at the other.

40. But a more serious objection to granting passes was the effect the measure would have on the purchases of next year, supposing the plan of purchasing to be then continued ; of course no one could be expected to sell to the agent at a price offering a profit exceeding 250 rupees, if he had the expectation of conveying the drug himself to the Bombay market, with the advantage of a Government pass for that consideration : and the fact of passes being granted in the present year, would be sufficient to inspire the hope universally, howsoever the contrary might be declared by the agent.

41. Thus the objection to granting passes was, that it was a half measure, calculated to obstruct the plan of purchase and resale, determined at the specific recommendation of the agent to be carried on for the present season, and incompatible with its continuance. We were far from deciding that the plan of granting passes as a general measure might not be preferable to that adopted. Our own impressions were greatly in its favour, and it was our intention, we stated, to direct the agent's attention to the consideration of the question, whether it would not be desirable to adopt that scheme in the ensuing season, in relinquishment of all purchases. In that case, the passes might, we observed, be offered to sale (limited in number) in the same manner as the chests were, and the competition would show their real value ; or they might be unlimited and issued at a value fixed by us. Upon the adoption, however, of any such change of system, we had not then determined, and until we had done so, we could not sanction the partial abandonment of the existing system proposed by the Governor in Council. The result of the communication opened with Major Stewart, for determining as to the best course to be pursued in future, would be made known to the Honourable the Governor in Council, as soon as any decision on the subject should be formed. In the

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mean time, we desired that things might be left in the train indicated in the orders and instructions of this Government.

42. With respect to the second of the points stated above, *viz.* The claims arising out of the publication of the notice regarding passes in Malwa and Bombay, it appeared that Major Stewart was induced to publish the notice in question, on the 23d November last, but on the 28th following, he received our orders of the 27th October, and immediately sent expresses every where to recall the notices. In like manner the Letters of the Bombay Government to the Bombay merchants, informing them of the grant of passes, were dated 30th November, and on the 5th December the remedy was applied. In both cases the period for which the notice circulated was five days only; and any claims that speculators could prefer in consequence must be founded on what occurred in this short space of time.

43. In our opinion it would not be enough to allege that hopes were held out by the notice, which its recall disappointed; nor that speculations were founded thereon which were subsequently abandoned. There must have been positive loss incurred through the measures of Government or of its officers, before there could be any ground or pretence for recompense. Although therefore the recall of the notices might have produced inconvenience, and was in appearance awkward and unfortunate, we were not disposed to listen to any claims preferred in consequence, except proof should be adduced at the same time that real loss was sustained thereby. We moreover requested of the Bombay Government that no claim of the kind might be decided upon affirmatively, without a previous reference to our Government, accompanied by a full statement of the circumstances.

44. With respect to the third question, *viz.* the effect of holding out hopes to the merchants, that through the instance of the Honourable the Governor in Council of Bombay, this Government might be induced to sanction the grant of passes in the manner proposed for the Malwa Opium of the present year, we observed as follows: having determined against issuing the passes in question, we could only express our regret that we had been unable to realize the hopes held out to the merchants by the Governor in Council. At the same time we could not recognize any claim as arising out of this additional disappointment; for of course the merchants would have known that the result was entirely dependent on the view that might be taken by us; and however reluctant this Government must always be to take any course affecting the impression entertained as to the influence and weight of the other Presidencies, we could not yield our judgment on a matter of this description, or allow the desire to maintain their credit and estimation to weigh against the views of policy by which we felt it our duty to be guided.

45. With reference to the observations in the Letter of the Bombay Government, dated 5th December last, regarding the confusion incident to the existing double control, we observed, that considering the source of the inconvenience which had been experienced in the present instance from the clashing views of the two Governments, that inconvenience could scarcely be urged as an argument in favour of a transfer of the concern to Bombay, for the difficulty would not have been felt if the agent had received his instructions solely from Bengal, which, notwithstanding the deference enjoined to the sentiments of the Honourable the Governor in Council at Bombay, in the passage cited from the Letter

Letter of this Government, dated 28th July last, it was always intended that he should do on all questions involving the principles on which the concern was to be conducted.

46. Our opinion was rather confirmed by the result of the present correspondence against the expediency of any transfer of the control of the Malwa agency to Bombay; for notwithstanding the benefit that would thus be secured from the exclusion of any double control, the consistency of principle requisite for the security of the revenue realized on this side of India would be wholly lost.

47. Having thus disposed of the questions which arose as to the management of the Malwa Opium revenue, in the past season, it may be necessary to refer your Honourable Court to the proceedings noted in the margin;\* showing the extent of the supply provided for the sales of the year at Bombay, and for local consumption in the Bombay territory, and the causes of its falling somewhat short of the quantity promised by Major Stewart in November 1829. It will be seen, that instead of 4,000 chests for sale, and 400 maunds for consumption, only 3,600 chests on the former account, with the full supply required for the latter, were actually dispatched to Bombay. We also beg to refer you to some correspondence that passed between the officiating agent and the Bombay Government, in respect to the most advantageous route by which the article should be forwarded, and the contracts for carts for its conveyance, also the objections made at Bombay to the route proposed by the officiating agent.

48. The out-turn of the sales made of 3,502 chests of Opium of the year, exhibiting a net amount realized of 56,18,527, exclusive of 2,35,952 rupees charges (the sale proceeds being 58,54,480), will be found on the proceedings noted in the margin;† and with a view to include all that has passed in relation to this subject, the further references annexed contain the correspondence and orders passed regarding adjustments of the net profit per chest, payable to the states under treaties; we have added in the collection which accompanies this letter, a letter very recently received from Bombay, forwarding a statement from the principal collector of Ahmedabad, of the manner in which the Opium supplied to him had been disposed of, also our reply and observations thereupon. In the same collection also will be found an extract from the Political Department, with some correspondence, showing the causes of the failure of the Kota state, to make good their quotas of the drug in the season. We now proceed to later proceedings, copy of which also accompany, being included in the collection referred to. The time having arrived when it became necessary to consider the measures to be adopted in the ensuing season, the question was brought under our notice, in a Minute by Sir Charles Metcalfe, recorded and numbered in the collection as per margin.‡ By desire of the Governor-general the Civil Finance Committee had given their attention to the subject, and copy of a Report of their sentiments is also annexed.§

49. From Malwa we had received no further information, in reply to the requisition to that effect addressed to the late officiating agent Major Stewart, on the 12th of January last, which was occasioned by this officer's having left the office under charge of his

\* Consultations, Dec. 15. Nos. 33 and 34.

† Ditto, Nov. 21, 1828, Nos. 20 to 33; Jan. 6, 1829, Nos. 9 to 14; Feb. 20, Nos. 24 and 25; May 12, Nos. 6 to 8; Aug. 18, Nos. 21 to 24; Dec. 15, Nos. 15 to 23. ‡ July 27, 1830. § Ditto, July 13, 1830.



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his deputy, Mr. Cartwright. From the Bombay Government, the only further despatch received on the subject of the conduct of this branch of revenue, is the letter cited in the margin,\* whereof copy forms also number in the packet.

50. The matter having been taken up with reference to all that had occurred in the past year, and with particular advertence to the view stated by the Finance Committee, we have come to the determination to relinquish entirely the plan of purchasing for resale, and to confine the Government dealings to the grant of passes for free conveyance to Bombay for exportation. Our views on the subject are incorporated in the annexed resolution.

51. It had appeared, that notwithstanding that the officiating resident and Opium agent in Malwa, was informed as early as in May 1829, that it was the wish of the Bombay Government to increase the supply of Opium for sale as much as possible, and instructions to this effect had been issued by the Supreme Government; the officers of the department were barely able to provide for the Bombay sales as much as 3,600 chests, and of this quantity a large proportion (*viz.* about Surat maunds 2,000) consisted of store remaining over from the preceding year. As the season had been favourable, and the growth abundant, the failure was to be ascribed exclusively to the resolution adopted by the Supreme Government on the 19th June of the past year, to withdraw from all measures of restriction upon the growth, transit or export of the drug on private account. The operation of this course of policy upon the year's supply had been felt in various ways, particularly the following :

First. Major Stewart had contracted for the purchase of considerable quantities of Opium, at the usual price of thirty rupees the punsuree, with the condition attached, that passes for conveyance of quantities proportionate to the deliveries should be granted to the contracting merchants.

52. Upon the removal of the restrictions, passes were no longer required to protect the article; and Major Stewart was obliged therefore to compound for the privilege, by an addition of fifteen rupees per punsuree to the contract rate. The effect, however, of removing the restrictions, produced a rise of price in Malwa, considerably exceeding forty-five rupees, so that the officiating agent not only had been unable to extend his purchases as desired by the Bombay Government, but with difficulty had obtained the fulfilment of the contracts.

Second. Although only the restrictive provisions of the Opium treaties were revoked and cancelled in the past season, and the states remained under engagements to deliver their quotas of Opium at thirty rupees the punsuree, receiving the bonus and the profit on chests sold according to their deliveries, still the effect of the rise of price consequent upon the removal of restraints on the traffic and export, had been to produce short deliveries by almost every state. The native Princes or their ministers seemed to have calculated that the present gain by sale on the spot at fifty-five and sixty rupees the punsuree, afforded a larger profit than the bonus and the average net profit on their allotted number of chests were likely together to yield. This therefore was another cause of short provision for the

\* Bombay

Bombay sales of the past year. The resource from treaty Opium, it is to be observed, will be wholly cut off in future, as all the states have given notice of their wish to withdraw entirely from their Opium engagements after the season which has now closed, and the Government has assented to their doing so.

53. The facts above referred to seemed fully to account for the limited provision made for the Bombay sales of the season. The number of chests forwarded from Malwa was, as above stated, only 3,600, whereas the information received regarding the quantity that found exit through Demaun and other places, stated the quantity at 10,000 chests, and the lowest estimate gives 9,000 chests.

54. But if a sale of 3,600 chests had been provided at Bombay in the past season, it was to be recollected that much of the article was obtained before the removal of the restrictions was known, that the agent had the benefit of contracts made before that measure was adopted, and of treaties which were not to expire until the close of the year; no such advantages would be possessed in the present season. If it were to be determined, therefore, to prosecute the scheme of buying for resale, the agent had nothing whatsoever to rely upon but the competition price and his ready money. He must enter the market as a common purchaser, and his appearance in that capacity would of itself tend further to enhance prices. The political influence and other inducements and means, through the judicious use of which the agent's bargains had heretofore been favourable, would be withdrawn with the annihilation of the treaties, and his attempt to buy would end most probably in an increased outlay, and much smaller provision than in the past season, not to mention the effect which the competition must have in augmenting the growth and manufacture of the drug at the places of production. To complete the risks of failure under such a scheme, the purchases would have to be made in the face of a falling market in China, and with the certainty therefore of a less return at Bombay.

55. The exclusive possession of the best route for transmission to the coast, and of the best port for shipment, would doubtless, we conceive, enable the Government to realize some profit by purchases made even under these disadvantages; but the question was, whether that was the best method of turning our position in these respects to account, so long as the services of the states and authorities in Malwa were commanded in aid of a monopoly purchase, and while restrictions and prohibitions were enforced which made it ruinous for individual merchants to compete with Government, the system of purchases was successful, and on many accounts perhaps the best; but with traffic and transit free in Malwa, the attempt to draw the article to Bombay by buying it up, appeared to be opposed to every received principle of policy, and likely to entail heavy costs and charges in the management. We were therefore unwilling to determine in favour of the plan of continuing to purchase Opium in Malwa for resale, while there was any other scheme presented for our election, affording a promise of obtaining by other means an equivalent for the advantage of the routes and port of Bombay, which are the real sources of revenue and profit.

56. The information furnished by Major Stewart in his letters of September and October last, and the calculations also of the Finance Committee, appeared to us to afford grounds for estimating the value of the routes which Government had the power of opening at not less than 175 or 200 rupees. At the former rate it appeared that passes could

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could be sold readily ; and at the latter, Major Stewart in the course of the five days when he was inviting tenders at 250 rupees, received a few offers upon speculation. It was to be remarked, however, that the Bombay Government, acting on their information, had estimated the value of passes at 250 rupees ; and as it was not unlikely that the Malwa speculators who made the offer to Major Stewart, did not take into account the gain of time for shipment, and the Demaun charges which would be saved by the pass, there was ground for giving faith to the estimates on which the Bombay Government relied.

57. But, however that might be (for the determining a value for the passes was a point that must necessarily be left to the Bombay authorities), it was made manifest by the Report of the Finance Committee that, purchasing under the disadvantage of open competition and free transit by the indirect routes at 55 rupees the punsree, and there was a chance of the price exceeding 60 rupees, the Government could not hope hereafter for a selling price at Bombay that would yield a profit exceeding 200 rupees per chest. This, too, would be realized on the limited quantity that could be purchased at reasonable prices in the face of an open competition. If, on the other hand, the real value of the direct route to Bombay should, as supposed, exceed that sum, the whole produce of Malwa might be expected to flow through it, under the plan of issuing passes to private merchants to the benefit of the commerce of Bombay, no less than of the revenue of Government.

58. The capital annually embarked hitherto in the purchase and preparation of the drug would further be saved to Government by the change of plan, and the balances of the treasuries from which the funds had heretofore been supplied would bear proportionate reduction.

59. Thus every motive of sound policy seemed to suggest that the scheme of issuing passes for a consideration equal to the real value of the route to be opened should be substituted for that of purchasing Opium in Malwa, to be forwarded and re-sold at Bombay.

60. The Government will doubtless lose by this plan that portion of the profit heretofore realized by its sales, which was the result of speculation upon China fluctuations of price, but that was less a consideration at present than it had been heretofore, because of the certainty of the increased production causing a gradual diminution of the selling price in the ulterior markets. It had occurred at one time to us, as will have been seen in a previous part of this Despatch, that a participation in that profit also might have been secured (besides the net equivalent for the value of the routes opened), by limiting the number of passes issued, and selling them by auction ; but on reconsideration we determined to abandon that scheme, and to confine the Government receipt to what might fairly be demanded as the equivalent for the advantage of transit and shipment offered to dealers by the new routes. As these benefits were fixed and capable of distinct valuation, the rate of duty taken for the passes conferring them ought evidently to be so too.

61. A further very important recommendation to the plan of issuing passes is, that it will enable the Government to dispense altogether, after a short time, with the establishments entertained in Malwa and at Bombay for conducting the concern in the manner

manner hitherto followed. For the machinery by which a revenue may be realized through the grant of passes is most simple ; indeed, as the stations of Chokies are already maintained, and there are Custom Houses throughout the Bombay territory through which the Opium will be regularly passed to that Presidency, and through which therefore the entire revenue may be collected, it would not seem that the addition of a single functionary to the existing establishments of that Presidency will be at all required in substitution for the agency and Godown officers to be discontinued under the abandonment of the scheme of purchase store and sale heretofore followed.

62. Influenced by the considerations above adverted to, we have resolved as follows :

First. That in lieu of the existing system for deriving a revenue on Opium, the produce of Malwa and other parts in Central India, the Bombay Government shall give notice that passes for the free transit of the article to Bombay for exportation by sea, will be granted on application to the Collector of Customs at Bombay, or to the resident and Opium agent at Indore, on payment at the rate per chest of 140lbs. weight of rupees 200, or such other sum as the Bombay Government may fix as the fair and proper equivalent for the routes opened by the passes.

Second. That the Opium agent in Malwa shall discontinue making any purchases of Opium, and shall use his best endeavours to give effect to the scheme proposed to be substituted, concerting with the Bombay Government as to the form of pass to be issued, the period for which it is to run, and the manner in which it is to be returnable after the arrival of the Opium covered by it at Bombay.

Third. That the agent be further directed to promulgate the determination of the Government to grant passes in the manner indicated, and to explain to the merchants the facilities that will be afforded by the routes opened, as well as those of the port of Bombay, furnishing every information on the subject in his power to all that may apply for passes.

Fourth. That notice of the above change of plan be communicated to the Board of Customs, Salt and Opium, with a view to its being made known to the merchants and purchasers at the Calcutta sales.

Fifth. That the agent at Indore be directed to report weekly to the Supreme Government the price of Opium at the principal marts in Malwa, and to furnish similar information of all passes taken out from his office ; and that the Bombay Government be likewise requested to order weekly reports to be sent to this Presidency, of the passes that may be taken out at Bombay, in order to enable us to judge how the new plan works.

Sixth. That so soon as the plan shall be so far introduced as to enable the agent to determine upon its success (and we cannot anticipate a failure, if the value of passes be properly fixed), he shall discharge superfluous establishments, and the Bombay Government will at the same time revise the establishment maintained for the custody and store of the Opium sent there for sale.

Seventh. That the revenue derived through the issue of Opium passes be brought to account at Bombay, separately from the other items of Custom Duties, but that it be regarded as an asset of the Bombay Government ; the proceeds of the

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sales made in the present year, as well as of any other Opium that may be in store, or that may be transmitted by the agent in Malwa for sale, will of course be carried to account as at present, in order to wind up the concern on account of this Presidency.

63. In forwarding these Resolutions to Bombay, we deemed it necessary to notice the disappointment the Honourable the Governor in Council had expressed that his views had not been more followed; and in particular, the reference made by him to the scantiness of the supply obtained at Bombay for the year's sales, as well as for local consumption.

64. After recapitulating the circumstances which had led to the smallness of the supply of the year, and explaining that they were ascribable to the changes of plan which had been determined upon, we pointed out that although having resolved to give the system of purchase and sale trial for the year, we had opposed every proposition for mixing up with that plan the project of granting passes; we had always intended at the close of the season to take up the question as a general one, and to determine on the mode of carrying on the concern hereafter, according as our information and the result of the experiment might show to be most advantageous in all respects.

65. We transmitted to Bombay copy of the Resolution, the substance of which is given above; and desired that Government to give immediate effect to it by determining a price for the passes, and arranging the details of the mode of transport, and the checks to be established with the Opium agent.

66. We remarked, that the passes being issued on the application of holders, would act as conditional exemptions from the existing prohibitory duty; consequently the equivalent taken from them could not be regarded as a new duty, so as to require a Regulation sanctioned by your Honourable Court and by the Board of Commissioners before its enforcement, as we had at one time thought might be necessary; and we further noticed, that the Opium passed under these instruments to Bombay would stand in the place of that heretofore carried by Government as belonging to itself, consequently the passes must confer the same privileges of free transit, and the Bombay Government must provide that there should be no obstructions or detentions by its officers beyond what was indispensable to prevent the article from being carried irregularly.

67. We desired the Governor in Council, in regulating the amount of equivalent to be demanded for the passes, to adopt the principle of assuming something less than the net difference of expense incurred on a shipment of Opium brought to Demaun, by the most favourable of the indirect routes, as compared with the cost of transit to Bombay, and shipment by the most favourable of the direct routes opened by the passes. The information we possessed inclined us to believe 175 rupees to be the minimum duty that might be taken per chest on this principle, and 250 rupees the rate proposed heretofore by the Honourable the Governor in Council, to be the highest that would be safe to require; but, as before stated, we wished to leave this entirely to the Governor in Council, to be regulated as his enquiries might lead him to determine. Should there be good grounds, we added, for believing that passes would not generally be sought at the low rate of 175 rupees, we intended still to retain the power of purchasing for resale, and we thought it might in such case be advisable to revert to that course, provided the article could be procured in Malwa at a price not exceeding 55 rupees the punsuree. To this effect  
instructions

instructions were issued to the agent, and it has been this necessity of waiting to see the result of the new measures ordered, that has prevented the immediate revision of the establishment of the agency. The authorities at Bombay, and the agent, were instructed to guard against any combinations from parties interested in the continuance of the old system, to prevent the advantages of the new from being generally known and appreciated by the merchants, or to keep back applications for passes, after promulgation of the intention to issue them.

68. Full information of the new plan upon which it was proposed to conduct the concern in Malwa, will be communicated through the Board of Customs, Salt and Opium, to all persons concerned in the Opium trade to China at this Presidency; and we informed the Bombay Government, that it was our intention to continue to encourage the extension of production of the article on this side of India.

69. We have now completed the review of our proceedings in connection with this important subject; we submit them in full confidence that the course we have determined to adopt is the best, under all circumstances, that could be followed; and trust to receive the early expression of your sentiments thereon.

We have the honour to be, &c. &c.

(Signed)

W. BENTINCK.

W. B. BAYLEY.

C. T. METCALFE.

Fort William, 3d August 1830.

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No. 13.

(Separate Department.—Opium.)

(No 3, of 1830.)

LETTER from the Governor-General and Council in Bengal, to the Honourable the Court of Directors, &c. &c. &c.; dated the 21st September 1830.

Honourable Sirs :

1. SINCE we had the honour to address your Honourable Court, on the 3d ultimo, for the purpose of explaining at length our views and proceedings in regard to the revenue we have hitherto derived from Opium, the produce of Malwa, we have received from Bombay, Copy of a Minute by the Honourable the Governor, with a memorandum annexed, containing information on the subject collected by the Revenue Commissioner of the Northern Districts of that Presidency.

2. The Governor's Minute, though dated the 6th May last, was only forwarded to us in a Letter from the Secretary bearing date the 30th July.\* Had it reached us in time, we should of course have considered it our duty to draw your particular attention to the arguments by which Sir John Malcolm supports his views on this question, and endeavour to show that we determined injudiciously in opposing the plan suggested

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\* Consultations, September 7, 1830, Nos. 22 and 24.

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gested by the Bombay Government, for combining the issue of passes with the arrangement for continuing sales, and that a considerable loss of revenue has been the consequence. It is right that your Honourable Court should be put early in possession of these arguments, and of our view of the questions discussed after yielding to them the consideration due to the quarter from which they have proceeded.

3. Sir J. Malcolm complains, in the first instance, of the small supply of the drug provided for the regular sales of the year, in Bombay, notwithstanding that the expediency of an increase had been advocated early in 1829, and the Supreme Government had then concurred in the propriety of the augmentation. In the resolution passed by us on the occasion of relinquishing the system of purchase and re-sale, in other words, the monopoly farm in which we had heretofore realized revenue from this source, we particularly explained the causes of the short supply referred to. The determination to increase the quantity of Opium provided was taken with reference to the monopoly, and to the restrictions on transit and exportation by which it was enforced. Upon the change of system, this consideration, though still an ingredient of the question, was nevertheless subordinate to the determination in the first instance of the principles upon which the concern should be conducted after the restrictive measures by which the monopoly was supported had been given up.

4. The officiating Opium agent in Malwa reported, that notwithstanding the change of system referred to, he should be able to provide a supply for the sales of the year equal to that of the preceding season, and influenced mainly by this circumstance, supported by the opinion expressed by the officiating agent, that the plan of purchase and re-sale might advantageously be continued, we resolved to make the experiment of leaving it in operation for the year. The result was as we have explained in our previous Letter, and as stated by Sir J. Malcolm in his Minute now forwarded, *viz.* that a sale supply, exceeding by 100 chests that of the preceding year, was actually provided and disposed of in the usual manner, yielding a considerable profit per chest, as will presently be shown.

5. But because there was at the same time a large exportation of Opium from Malwa by irregular channels, the supply to Demaun, amounting, according to estimate cited, to as much as 10,000 chests, Sir John Malcolm seems to cast blame on the arrangements adopted, on two grounds: First, It appears to be his opinion that, consistently with the determination taken to augment the provision for the Bombay sales, measures should have been adopted to procure by purchase for the Government the major part of the Opium so irregularly exported. Secondly, He complains that the plan he suggested, of allowing this illicit Opium to be brought direct to Bombay under pass, was not adopted; arguing, that by taking a consideration for the passes the Government might have secured a large additional revenue therein, besides that realized at the sales upon the year's provision, of 3,600 chests. Before discussing these points in detail, we would premise, that we did not look upon the questions which lay for our determination to be one of the expedients of the day. We had resolved upon the abandonment of the system of restriction by which the monopoly was supported, and it remained to decide how the concern established under that system should be wound up, and what permanent scheme should be substituted. Nearly half the season passed before the change in our intentions could

could be duly promulgated and made known in Malwa. Indeed, the agent's arrangements for the year were already so far in progress, as to afford the assurance of a provision on monopoly terms, equal to the supply for sale of the preceding year, when we had to determine as to the best mode of winding up the concern. We conceive that we could not, in prudence, under these circumstances, have acted otherwise than we did, and that in resolving to secure, so far as could be done under an abandonment of the restrictive system, the monopoly profit on the limited provision in question, and to defer the final arrangement of a permanent scheme till the close of the year, we consulted the true interests of the Government and of the nation. Originally we limited the purchases to 45 rupees per punsuree,\* the price at which the agent assured us of his ability to obtain an equal supply for the Bombay sales to that of the previous year; but subsequently, on his representing, in February of this year, that a large extra supply (4,000 chests) could be obtained by an augmentation of the price to 55 rupees, we authorized the increase, making that the limit. The agent's expectation of obtaining the further provision at this rate appears, however, to have been disappointed. At 55 rupees per punsuree, the chest of 140 lbs. would have cost 770 rupees in Malwa, besides the charges of establishment and transport; we cannot think it would have been prudent to have exceeded this limit for the prime cost of the article.

6. But the arguments of Sir J. Malcolm's Minute leave it to be inferred, that besides securing as much of the drug as could be secured on the terms of the old monopoly, he would have wished the Government to enter the market as a competitor for the purchase of Opium on any terms. It will have been obvious, from a perusal of the correspondence reviewed in our previous Letter, that it could only have been by out-bidding the sanguine speculators, who were drawn into this field by our change of plan, that any more of the drug could have been procured than was actually procured. If, however, yielding to the desire to increase the provision, we had authorized any such measure as a purchase without limit of terms, a rise considerably beyond the high selling price reached by the article in Malwa, which we were told was 60 rupees per punsuree, must have been the consequence; and we do not see how we could have refused the enhanced price to the contractors, with whom we might have made previous bargains, without creating amongst them dissatisfaction and an unwillingness to complete their engagements at the lower rates. At the same time purchasing high, with the prospect of reduced prices at the Bombay sales, consequent upon the increase of quantity thrown into that market, the inducement offered by participation in the net profit would have been taken away from those who furnished Opium under treaties, so that the drug would have been procured neither from them nor from contractors in the quantity stipulated, nor on any thing like the old monopoly terms. The result therefore would have been similar to what occurred previous to our interference with the management of the concern, when Opium was bought by the agent employed by the Bombay Government at prices which yielded no profit on the re-sale. On the whole, we doubt not your Honourable Court will look upon this part of the question as we do, and will be satisfied that an instruction to the Malwa agent to buy the whole produce at any price, would have amounted to

\* Consultations, March 2, 1830, Nos. 20 and 22: April 13, Nos. 22 and 24.



to a resolution to prosecute as a commercial adventure what could not longer be carried on as a revenue monopoly; we need not enter on a discussion of the impolicy of following such a course.

7. With respect to the question of passes, from the manner in which this subject is mixed up with complaints against the smallness of the sale provision, it might be supposed that the Honourable the Governor desired the passes to be given for direct transit to Bombay, conjointly with open competition purchases of the drug in Malwa for re-sale to exporters by sea. It will, however, at once occur to your Honourable Court, that the passes must have been given on terms to benefit the holders of the article, and consequently to make them unwilling to sell to our agent on the same terms as before. The grant of passes must therefore, so far as they conferred such advantages, have interfered with the purchases; so that the schemes were inconsistent, and could not be combined without loss.

8. Deeming them incompatible, we looked upon the question which lay for our decision to be, which of these two plans was entitled to the preference; our decision was taken accordingly in favour of continuing the monopoly for the year, and so closing the concern. But it may be urged against the arrangements of the year, that after having secured as much of the drug as could be obtained on the monopoly terms, with a view to a re-sale of this quantity for the sake of the monopoly profit, the Government might, besides this profit, have obtained a further profit by licensing or granting passes for the remainder of the Opium produced, but not procurable on its terms. The argument in favour of this scheme, is that the Opium in question was and will always be exported in spite of the Government endeavour to prevent it. The exportation being made subject to charges to the smuggler or to the Dernaun authorities, to the extent of which charges the Government might have secured a revenue.

9. As a general question we have fully admitted this principle, and our resolution to relinquish purchasing for re-sale from this year forward is founded entirely thereon; but we are at issue with the Bombay Government in the conclusion that the same revenue we propose hereafter to seek and to be content with, as a consideration for passes direct to Bombay for the whole Opium produce of Malwa, could have been obtained in the past season on the quantity exported to Dernaun, without affecting injuriously the profit we hoped to obtain, and did obtain, on the monopoly supply of the Bombay sales.

10. Sir John Malcolm remarks on the difference of the average price at the last Bombay sales of the present year (Rs. 1,143. 2. 7.) as compared with the selling price of the preceding year (Rs. 1,671. 3.) The defalcation he attributes mainly to the increased supplies which found their way to Dernaun. We are far from denying that this necessary consequence of our removal of the restrictions on transit and exportation from Malwa will have been a main cause of the fall of price by which the Government was deprived of so much of the usual monopoly profit per chest, but we are not prepared to admit that if passes had been granted, allowing the 10,000 chests said to have been exported through Dernaun to be brought direct to Bombay, the Government could equally have reckoned on securing that portion of the monopoly profit which was included in the price realized on our 3,600 chests.

11. We do not look upon it as the same thing in the effect it would have had on prices at Bombay, whether the 10,000 chests were carried by the circuitous obstructed routes through which, after much detention and frequent change of conveyance, it finally proceeded to China, or were brought by the direct route to Bombay, under passes which would have insured the whole arriving contemporaneously with the supplies for the Government sales, to be offered there in direct competition with the Government Opium, and with equal facilities for conveyance to China. We were of opinion when the matter was submitted to us, and have yet seen no reason to adopt a different conclusion, that to have allowed the Opium of Malwa to proceed to Bombay under passes, on account of individuals, would have been to have set an unnecessary limit on our monopoly profit on the year's provision, through the immediate effect of this measure on the Bombay sales; besides which we thought it must interfere with our means of making that provision, even in the current year, by its effect on Malwa prices, and on the contractors' and state's deliveries, under the arrangements made. It is certain, too, that our future operations would have been embarrassed by the premature resolution to adopt partially a scheme inconsistent with that on which we were still acting, and which we might be desirous of continuing. Had we been convinced that the entire quantity of Opium alleged to have been conveyed through Demau for exportation might, by early arrangements of a different kind from those adopted, have been brought to Bombay under passes, we should of course have weighed well the advantage to be derived upon the grant of these licenses against the profit expected from the limited quantity that could be provided for sale, and according as the calculation might have shown the larger revenue so would our measure have been taken. We are willing to be judged by this criterion in respect to the course adopted, and our resolutions for the future are based on the same principle of decision.

12. We have very recently received the Opium agent's estimate of the net profit actually realized at the year's sales, and a copy will be found annexed as a number in the collection of papers attached to this Letter.\* The statement, which is founded on the real charges, and needs only final adjustment to become the actual account of the year, shows a profit of H. R. 21, 87, 219. on 3,650 chests sold, the difference of number being occasioned by an over-weight in the chests dispatched from Malwa. The total cost per chest will be seen to be stated at H. R. 608. 12, and the profit is estimated at H. R. 599. 3. 9. Now we should submit that if passes had been granted for private Opium at the reduced price of 250 rupees per chest, a profit of near H. R. 600 upon re-sale of our own supply could scarcely have been expected; and if, through increased difficulty of purchasing in Malwa, on one hand, and competition on the other, to injure the sales in Bombay, the profit had been brought to nearly the rate of the passes, your Honourable Court will be able to calculate the extent to which it would have been necessary for the measure proposed by Sir John Malcolm to have been successful in order to save us from loss on the year's operations.

13. The Honourable Governor dwells in his Minute on the advantage that might be expected from a transfer of the entire management of the Malwa Opium concern to  
Bombay

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\* Consultations, November 7, 1830, No. 25 to 28.

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Bombay, on the ground of the superior acquaintance with the state of the markets, the available capital and views of speculators, and other commercial considerations necessarily possessed by the Government and officers of that Presidency. We are quite sensible that from proximity to the place of production, and from the circumstance that the outlet for exportation is on that side of India for the Opium of Malwa, the Bombay authorities have all these advantages. Nevertheless, while the concern was conducted as a monopoly, and as part of a system based upon the arrangements and resources of this Presidency, we should not have willingly seen it transferred, to be managed according to views and principles liable sometimes to be opposed to our own arrangements on this side of India, and the control of which could only have been exercised after the mischief, if any were to result from such incongruities of view, had been actually done.

14. At the same time we have no desire to retain in our own hands any concern that can be as well managed by other agency; on the contrary, it is our study to relieve ourselves as much as possible from the mass of business and of references by which we feel that the Supreme Government is at present overwhelmed. We have accordingly left the Bombay Government to arrange the details of the pass system with the Opium agent, and if that plan can be acted upon with success, it is not our intention to interfere with the execution of the project. If it should fail, it will be our duty to consider again whether the monopoly shall be re-established under the partial restrictions which, through the command of the principal routes and best ports for exportation we possess on that side of India, or any other scheme shall be attempted in stead. The determination of this we shall be obliged to take upon ourselves, as connected with the general administration of the affairs and resources of your Indian empire.

15. We are taking measures for extending the cultivation of the poppy, with a view to a large increase in the supply of Opium to be offered for sale at this Presidency. Our proceedings for this purpose will be reported hereafter. In the mean time we look upon the difficulties which threaten this resource through the removal of the restrictions in Central India, and from which the restrictive system was not exempt, for during its existence the exportation from Demaun to China was continually increasing, to merit the watchful care of Government; for the final effect of an increase beyond assignable limit in the quantity of this drug exported to China from both sides of India, is a result beyond the power of our foresight to discover, or even to hazard at present any speculation upon.

16. We take this opportunity to correct an omission and error in our last Despatch on this subject. We stated, that Major Stewart had not replied to our Letter, dated 12th January, calling upon him to state his opinion as to the course to be followed in succeeding years. His sentiments are conveyed in two Despatches recorded as noted in the margin.\* These letters, however, having arrived while the Governor-General and Secretary of the Department were temporarily absent from the Presidency, did not fall under their perusal, and being omitted to be included in the collection of papers made for preparation of our final Resolution on the subject, and of the letter to your Honourable

Court

Court reporting thereon, it was erroneously concluded by the Secretary, that no replies had been received, and the accuracy of his statement was not doubted. The error has been pointed out in a Despatch from the Opium agent in Malwa, just received in reply to the instructions addressed to him in regard to the new system. A copy of his Letter and of our reply is included in the collection appended,\* in order to put your Honourable Court in possession of our latest information on this important subject.

We have the honour to be, &c. &c.

(Signed) W. C. BENTINCK.

W. B. BAYLEY.

C. T. METCALFE.

Fort William,  
21st September 1830.

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No. 14.

EXTRACT Letter in the Separate Department, from the Governor-General in Council in Bengal, to the Court of Directors ; dated 27th July 1830.

130. THE Board of Customs, Salt and Opium, reported the quantity of Behar and Benares Opium, available for the sales of the year 1828. The total supply being 7,837 chests, the Board proposed to reserve 128 for Abkaree and other purposes, and to sell the remaining 7,709 chests under the same stipulations as were adopted in 1826-27.

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No. 15.

EXTRACT Letter in the Separate Department, from the Governor-General in Council in Bengal, to the Court of Directors ; dated 31st August 1830.

264. IN a subsequent Letter, the Board reported the quantity of Opium available in 1828-29, and submitted the draft of notification for publication.

265. Although the quantity of Opium proposed to be advertised, 8,778 chests, exceeded by more than 1,000 chests the provision of 1827-28, yet we thought with the Board that, in the present circumstances of the department, it would not be expedient to withhold any of the year's provision from the sales.

SALT.

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\* Consultations, September 15, 1830. No. 29 and 31.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor-General in Council in Bengal; dated 9th November 1814.

Letter from the Governor-General in Council to the Court of Directors, dated 5th February 1812.

(21) Revenue derived from Salt in 1810-11, Paras. 42 and 43 of Letter dated the 8th February 1813, and Paras. 2 to 4 of Letter dated the 7th December 1813, in continuation.

Para. 11. THE Annual Reports of the Board of Trade on the Salt Concerns of 1810-11, 1811-12 and 1812-13, exhibit the following results:—

Quantity of Salt provided in		Maunds.		Prime Cost.	
				per 100 Maunds.	
				Rs. a. p.	
1810-11 .. ..	..	34,44,530	—	75	14 1
1811-12 .. ..	..	32,66,940	—	78	7 2
1812-13 .. ..	..	40,56,113	—	84	14 6
Bengal Salt sold in		Maunds.		Total sold.	
				Maunds.	
1810-11 .. ..	..	34,57,485	10,61,718	45,19,203	
1811-12 .. ..	..	32,82,751	9,65,455	42,48,206	
1812-13 .. ..	..	42,26,881	5,08,198	47,35,079	
Selling Price of Bengal Salt in		Per 100 Maunds.		Of Foreign and confiscated Salt.	
		Rs. a. p.		Per 100 Maunds.	
				Rs. a. p.	
1810-11 .. ..	..	353	2 11	281	12 6
1811-12 .. ..	..	371	4 6	283	11 10
1812-13 .. ..	..	337	5 0	288	3 8
				Average of both.	
				Per 100 Maunds.	
				Rs. a. p.	
Net Profit on the Salt Sales in					
1810-11 .. ..	..	..	..	Ra.	1,13,41,684
1811-12 .. ..	..	..	..	..	1,12,67,489
1812-13 .. ..	..	..	..	..	1,14,40,202

12. It appears from the foregoing abstract statements, that in the year 1812-13 there was a great increase in the provision of Bengal Salt; that the prime cost of that species of Salt experienced a considerable augmentation in the same year; and that, though the sale-price was unusually low, the net-profit to the Company on the sales exceeded the profit of any former years since the establishment of the monopoly, with the exception of the years 1803-4, 1807-8, and 1808-9.

13. We

13. We sanction the commission which you have authorized to be paid to the agents, on account of the three years, 1810-11, 1811-12, and 1812-13 respectively.

14. Adverting to the voluminous Reports which are annually submitted by the Board of Trade, on the transactions in the Salt department, we concur in the opinion expressed in paragraph 3 of your Letter dated the 7th December 1813, that extracts from the correspondence so copious as those usually contained in these communications are unnecessary, and that more general Reports, accompanied with references to their recorded proceedings, would be equally satisfactory, care being taken that every thing of importance shall be brought into view, although in the most concise manner. Without entering, therefore, in this place, into an examination of all the details of the Reports now before us, and the most important of which we shall have an opportunity of noticing in reply to the sequel of your Letter, we shall confine our remarks to the measures which have been adopted for augmenting the provision of Bengal Salt.

15. The difficulty which had been experienced, and the expense which had been incurred in the years 1810 and 1811, in procuring a supply of Salt from the Coast of Coromandel, to make up for the deficiency in the produce of Bengal, together with the disappointment and inconvenience which resulted from a deficient supply of that article, notwithstanding the various encouragements that were held forth to foreign importers, indicated the expediency of devising some means of promoting the extension of the home-manufacture. For this purpose, you resolved on increasing the price paid to the Molunghees on all Salt delivered by them beyond the quantity stipulated in their contracts, or beyond the quantity which they had been in the habit of delivering, on the average of a given series of years. The price paid to the Molunghees in the Bulloah Purgunnah (where the experiment was first made), for all the Salt delivered by them beyond the average produce of the agency for the previous ten years, was one rupee per maund; and a similar plan, under various modifications, was afterwards introduced into the other agencies.

16. A measure of this sort had the recommendation of being likely to secure a steady supply to the market, and to impose a check upon smuggling, by securing to the Molunghee a legitimate price for his surplus Salt, equivalent to the highest price given by the smuggler, and equivalent also to the amount of reward payable by Government for information of illicit hoards of that article. It probably did not escape consideration, too, that when, as in 1811-12, Bengal Salt sold for rupees 371, while Coast Salt sold for only rupees 283 per 100 maunds, a considerable addition might be made to the price paid to the Molunghees; and that the profit on the home-manufactured would still greatly exceed the profit on imported Salt.

17. That the encouragement thus held out has had the effect of increasing the provision of home-manufactured Salt, is evident from the documents before us; and we doubt not that it has tended to the suppression of smuggling; but we are far from being persuaded that it has augmented the revenue so much as the bounty would have done, had it either been less generally applied, or graduated on a more moderate scale.

18. In the Tumlook agency, it appears the increased price of labour and fuel urgently required some addition to be made to the price paid to the Molunghees; whereas the

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agent for Hidgellee declared, in his Letter dated the 6th January 1812, the extension of the encouragement to that agency to be neither necessary nor expedient. The Board of Trade, however, having suggested to the agent that the Molunthees of his division, on finding that an additional price for surplus Salt had been granted to the Molunthees of the neighbouring agency of Tumlook, might be desirous of sharing in a similar indulgence, the plan was (improperly, in our opinion) introduced, merely on that ground, into the Hidgellee agency. The measure might be necessary in one agency, and altogether unnecessary in another differently circumstanced; and at all events, it would have been time enough to have granted the indulgence when it was asked.

19. Supposing, however, the expediency admitted, of a general increase of price to the Molunthees of the different agencies, the allowance of one rupee per maund, for the surplus Salt delivered beyond the amount stipulated in their contracts, or of the average deliveries of past years, seems to have been excessive. Of this, indeed, we have a partial acknowledgment in para. 14 of your Letter, in this Department, dated the 25th September 1813, where it is stated that you had required the Board of Trade "to report upon the success which had attended the foregoing plan, and likewise on the expediency of limiting the payments on that account, as, in the past season, the charges had proved very heavy, particularly in the 24 pergunnahs;" and the fact is still more explicitly admitted in the 28th paragraph of your Letter, dated the 2d October 1813, where you observe, on the authority of the Report of the Board of Trade, "that the quantity of Salt on hand exceeded the supply required to answer the periodical sales of the current year by nineteen lacs of maunds; and that, considering the embarrassment to the public funds, and likewise the increase to the public expenditure, which was likely to be experienced from so large an over-supply of this article, and which would, probably, be still further augmented, if the present system for the provision of Salt continued to be pursued, you had directed the attention of the Board, not only to the expediency of reducing the annual importations from the Coast, but also to that of adopting means to limit the provision of Salt in the respective agencies, and particularly in the district of Cuttack."

20. Not only is the charge which has thus been unnecessarily incurred, matter of serious regret, but the excessive increase, and subsequent reduction, of the bounty granted to the Molunthees is calculated, we fear, to occasion fluctuations in the Salt supplies very unfavourable to the interests of Government.

21. Since the preceding paragraphs were written, we have received your separate Letter in this Department, dated the 5th February 1814; and though you will perceive, from the tenor of the foregoing remarks, that we were prepared for a modification of the plan introduced in 1812, for augmenting the Salt provision, we own that we had not anticipated a complete abandonment of the system, as now announced to us, and that we were by no means aware of the vast expense attending it.

22. We learn from paras. 28 to 37 of the Letter referred to, that the arrangement by which an additional price was paid to the Molunthees for the surplus Salt, had so far increased the produce of the Bengal and Cuttack agencies beyond the quantity required to answer the annual Salt sales, that the balance of Salt likely to remain in store at the close of the year 1813 or 1219, Salt-style, amounted to maunds 26,15,721; that in order to

to prevent further accumulation, and at the same time to reduce the existing balance in store, you had ordered the quantity to be produced in 1220 to be limited to maunds 37,72,000, and the quantity to be exposed to sale in the same year to be augmented to maunds 47,00,000; that, with the same view, you had suspended your former orders for the extension of the monopoly to the Southern Division of the Province of Cuttack; that you had directed the entire abolition of the surplus-plan; and that, as a compensation to the Molunghees for their disappointment, you had sanctioned the distribution of a sum of money among that description of persons in the agencies of Hidgellee, Tumlook, Bullooah, and Chittagong, amounting, in the aggregate, to sicca rupees seventy-five thousand one hundred and eighty-two (75,182).

23. These sudden changes of measures cannot fail to be productive of very bad effects upon the interests of the public, and of the class of persons employed in the Salt manufacture. Your statement, that a reduction had been effected in the estimated expense of providing Salt, in the year 1814, at the four Bengal agencies, amounting to sicca rupees eight lacs sixty-one thousand seven hundred and seventy-two, (8,61,772,) justifies the inference that a very large sum had been unnecessarily expended on the provision of 1813. This expenditure, indeed, must have been positively pernicious, as well as unnecessary and wasteful, because it had an obvious tendency to allure people from other employments, to engage in the Salt manufacture, who, after the encouragement was withdrawn, would probably find it difficult to resume the occupations which they were thus tempted to desert.

24. We are also apprehensive, that the simultaneous resumption of the encouragements to the manufacture of Bengal Salt, and to the importation of Coast Salt, may occasion a future deficiency of supply, in some degree proportioned to the redundant supply which was produced by the combined operation of these encouragements.

25. In the whole of these proceedings we have been concerned to observe a want of foresight, united with an unfortunate tendency to go from one extreme to another; and we are sorry to add, that a derangement of the course of public industry seems to be the only result of a very expensive experiment in the management of our Salt concerns.

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No. 17.

EXTRACT Letter in the Separate Department, from the Secret Committee of the Honourable Court of Directors, to the Governor-General in Council at Fort William, in Bengal; dated 10th May 1816.

Para. 10. UNDER the 53d George III., chapter 155, section 6, salt may be legally exported from this country to India, and as any of his Majesty's subjects proceeding in ships navigated according to law upon a voyage to the East-Indies, are permitted by the 54th George III., chapter 34, to touch and trade at the Cape de Verde Islands, where Salt may be procured at a very low price, we think it necessary to instruct you to take immediate measures for the protection of our Salt revenue. With this view we direct that



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ADMINISTRATION  
OF MONOPOLIES.

Salt.

that you will lose no time in preparing and transmitting home for our sanction, a regulation imposing such a rate duty on the *importation of all foreign Salt*, as shall have the effect of securing the revenue derived from that article, by which regulation it should be provided, that the merchants shall be at liberty to deposit such Salt in the warehouses of the Government, previously to the payment of the duty, but that no such Salt shall be removed from thence until the duty be paid.

11. We desire that in framing both the Opium and Salt regulations you will consult with your law officers, with the view of preventing any legal difficulties in the way of their obtaining the sanction of the authorities in this country.

12. We fully rely on your active and zealous co-operation on an occasion where the public interests are so deeply concerned, and trust that you will lose no time in carrying our directions into effect.

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### No. 18.

EXTRACT Letter in the Separate Department, from the Governor-General and Council in Bengal, to the Honourable the Secret Committee of the Court of Directors, &c. &c. &c.; dated 11th October 1816.

Para. 1. WE have the honour to acknowledge the receipt of your Despatch under date the 10th May last, communicating your sentiments on the means possessed by the Honourable Company and their several Indian Governments of guarding the revenue derived from the exclusive manufacture and sale of Salt and Opium; and conveying your directions that we should prepare and transmit to you regulations imposing such duty on the importation of foreign Salt and Opium, as shall have the effect of securing the revenue derived from those articles.

24. With respect to Salt, no regulation, we believe, will be required, either at Prince of Wales' Island or Fort Marlbro'.

25. How far the different circumstances under which a revenue is drawn from Salt at Madras and Bombay may render necessary, in the rules framed at those Presidencies respectively, some deviation from the draft now framed by us, the Governments of those Presidencies will, of course, best be able to judge; and we do not conceive that any material advantage would result from a reference to this Government on account of variations arising from such a cause.

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### No. 19.

EXTRACT Letter in the Separate Department, from the Court of Directors to the Governor-General in Council in Bengal; dated 24th October 1817.

Letter from the Governor-General in Council to the Court of Directors, dated 7th October 1815.  
(75 to 81) Salt Accounts for 1220 S. S or 1814-15.

Para. 27. THE Salt Accounts for 1814-15 exhibit a much more unfavourable view of this important branch of our revenue than any which have been brought before us since 1806-7. The net profit on the Salt sales of 1814-15 is stated at rupees 1,01,87,667 being

being less than the net profit in the year immediately preceding by rupees 20,08,417, and less than the average net profit of the seven preceding years by rupees 14,52,696. This decrease of profit is attributed to three causes: 1st, To an increase in the cost and charges of the Salt provided; 2dly, To a diminution of the quantity sold; and, 3dly, To the reduced prices obtained at the public sales.

28. The Board of Trade state in their Report of the 12th September 1815, that there was an increase of rupees 3. 3. 11. per 100 maunds in the cost and charges of the Salt sold in 1220,\* (1814-15) occasioned by the establishment having been borne by a smaller quantity of Salt in that year than in the year immediately preceding, and by the donation† which was granted to the Molunghees on account of the abolition of the surplus system. The provision of Bengal Salt in 1220‡ having been maunds 11,00,177 less than the provision in 1219; and some of the items of charge in the Salt Department, such as callary rents, Zemindars moshaira and Salt-office charges being the same or nearly the same every year, whatever may be the quantity of Salt manufactured, they of course fall more heavily upon a smaller than upon a larger provision. We should, however, have expected that this circumstance would have been at least counterbalanced by the cessation of the heavy expense attendant on the surplus system.

29. The reduction of maunds 6,02,276§ in the quantity of Salt sold in 1220, and the simultaneous fall in price of rupees 17. 3. 1. || per 100 maunds cannot, we apprehend, be satisfactorily accounted for otherwise than by the prevalence of smuggling, which the proceedings noticed in a preceding part of this despatch establish, beyond a doubt, to have been carried on to a great extent in Behar.

30. The circumstance of there being no outstanding balances in the agencies of Tumlook, Hidgellee, and Bullooah and Chittagong, on account of the manufacture of 1220, is creditable to the agents in those divisions.

31. You will report to us the result of the measures which the agent in the 24 pergunnahs was instructed to take for the recovery of the heavy balance of rupees 34,668, reported to be outstanding in that division, and for the detection of the embezzlements of which the native servants were suspected.

32. The defalcation in the Salt revenue for several years past has been to us matter of the most serious regret; and though we have learned, from recent advices, that the sales in 1815-16 were more productive than those of the preceding year, we cannot too earnestly

\* Cost per 100 maunds of 82 Sicca weight.

1219	..	..	Rs. 87	2	7
1220	..	..	90	6	6

More in 1220 3 3 11

§ Quantity of Salt sold in

1219	..	Mds. 51,50,673
1220	..	45,48,397

Less in 1220 .. Mds. 6,02,276

† Rs. 75,182.

‡ Provision of Bengal Salt in

1219	..	Mds. 48,69,227
1220	..	37,69,050

Less in 1220, Mds. 11,00,177

|| Selling Price per 100 Maunds in

1219	..	Rs. 82½	0	5
1220	..	306	13	4

Less in 1220 .. Rs. 17 3 1

Salt.

earnestly recommend to your attention such measures as may appear most conducive to the restoration and improvement of this branch of the public resources. It certainly ought, under proper management, to advance with the growing population and prosperity of the country; and, as we have formerly had occasion to remark, we should, on every ground, greatly prefer a moderate profit on a large scale, to a higher profit upon a small one. We are aware, that as long as the Company continue to draw a large revenue from this article, the temptation to smuggle will continue to operate, but the temptation will be less powerful when the market is liberally supplied at a moderate price, than when it is sparingly fed, and the prices are exorbitant. We take this occasion most strongly to impress upon you, that nothing is further from our wish than that the population of the country should be subjected to the alternative of paying extravagantly for one of the essential necessities of life, or for procuring it by clandestine and illegal means.

## No. 20.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor-General in Council in Bengal; dated 8th August 1821.

Letter from the Governor-General in Council, to the Court of Directors, dated 28th February 1817.

Letter 28th February 1827—Paras. 16 to 37.

Letter 4th July 1816—Paras. 11 to 13 and 39 to 44.

Letter 19th September 1817—Whole.

Letter 24th October 1817—Paras. 4 to 27.

Letter 17th July 1818—Paras. 47 to 59.

Letter 30th July 1819—Paras. 40 to 48 and 79 to 87.

Proceedings relating generally to the provision of Salt for the Calcutta sales, and to what extent it may be necessary to carry the manufacture of the Bengal and Cuttack agencies, and the importations from the Coast of Coromandel.

Para. 11. IN our Despatch of 9th November 1814, we remarked on the tendency to go from one extreme to another in your proceedings relative to the provision of Salt, and expressed our apprehension that the simultaneous resumption of all the encouragements which had been given to the several sources of supply, might occasion a future deficiency in some degree proportioned to the redundancy which has resulted from the combined operation of these encouragements. Such a deficiency has occurred, and though it is attributed by you exclusively to extraordinary calamity of season, we cannot but think that a very considerable share of it must be ascribed to the sudden and simultaneous abandonment of

all the measures that had been adopted for securing an abundant supply.

12. Taking in one connected view the whole of your proceedings in relation to the provision of Salt, from the institution of the surplus system to the date of the latest documents in our possession, we cannot fail to be struck by the very great fluctuations in your management of this branch of the revenue, which assumes much more the appearance of a series of experiments towards the discovery of an efficient permanent system, than of a system itself; and, though we are aware that a definite and well-regulated scheme of management can only be founded on the well-established results of successful experience, yet we think it must be obvious to you, on impartial retrospection, that the experiments have been too hastily and generally made, and too hastily and generally abandoned. The surplus system, for example, was alike carried into effect and abrogated, in all the agencies simultaneously.

13. It is sufficiently on record that there was great difficulty in procuring a sufficient supply for the periodical sales prior to 1812-13; in consequence of which difficulty, encouragements had been given to large importation. The flourishing state of the Bengal manufacture

manufacture in 1812-13 induced the Board of Trade to suggest that those encouragements should be withdrawn.

Salt.

14. The deficiency of the supply prior to 1812-13 was considered to have been owing, in a very great degree, to the prevalence of extensive illicit traffic, the Molunghees obtaining from the dealers in smuggled Salt a higher price than that paid by Government. It was therefore proposed that one rupee per maund, the price demanded by the Molunghees from the dealers in smuggled Salt, should be paid by Government to them on all surplus Salt produced by them above their tahoods. This plan was carried into effect in 1812, at all the agencies, under the denomination of the surplus system; and it was expected that the advantages of this system would be immediately visible, in the satisfaction of the manufacturers, in the amelioration of their condition, in the stimulus which it would give to their industry, in removing from them the motives to illicit trade, in the consequent decrease of smuggling from the Aurungs, in the decrease of illicit traffic generally, in the increase of produce, in the increase of quantity delivered at the Government golahs, and in the increase of profit to Government.

15. That many of these advantages attended the adoption of the surplus system is unquestionable; but its operation, combining with the effects of two very favourable seasons, was attended with so large a surplus produce that the stock in hand at the beginning of 1814 amounted to 65,00,000 maunds, exceeding the quantity required for the sales of the year by 19,00,000 maunds. It was therefore determined to abolish the surplus system, and to restrict the manufacture below the average quantity required for the periodical sales, till the balance in store should be reduced to the standard at which it might be expedient to maintain it.

16. It was now stated, as a paramount disadvantage inseparable from the continuance of the surplus system, that it would cause a permanent injury to the Salt revenue, by causing a heavy increase in the expenses of the agencies, and involving the necessity of purchasing at an enhanced price a much larger quantity of Salt than could be required for the periodical sales.

17. Among the means of restricting the manufacture, it was suggested to abandon a certain number of the Aurungs. It was at this time observed by the Hidgellee agent (13th November 1813) that, "if any of the Aurungs were laid aside, it might be doubted if they could again be made efficient. The Molunghees might lose confidence in an employment on which their families had depended for generations, and might seek other sources of subsistence; and it might hence be difficult, if not impracticable, to increase the provision again when circumstances at a future period might make it expedient to do so." This remark was applicable, not only to the abandonment of Aurungs, but to every other cause by which a number of Molunghees might be thrown out of employ, and its truth has been verified by the great difficulties you have recently experienced in your endeavours to enlarge the produce of the agencies.

18. It was evident that the great and sudden restriction of the manufacture must either throw many Molunghees out of employment, or renew, with additional force, their former temptations to illicit traffic. Such was the result; many Molunghees were thrown out of employment, and a very enlarged illicit traffic appeared among the immediate consequences of the restriction

**Salt.**

19. The reduction of the balance in store was now a primary object with you, and your Letters, as far down as the second of those now under reply (28th February 1817), pointed out the progress which you were making in this reduction by means of continued restriction on manufacture and importation. In the Letter last referred to, you expected that the balance in store would be reduced by the end of 1817 to about 14,00,000 maunds, at which amount you considered it would be expedient to maintain it, to guard against future deficiency from unfavourable seasons. But in the Letters of the 4th July and 19th September following, you inform us, that, in consequence of the singularly unfavourable circumstances of the season of 1817, the restrictions on importation had been suspended, the sales of the year had been but 44,00,000 instead of 46,00,000 maunds as had been intended, and the stock in hand had been reduced to 3,30,589 maunds. The provision of the year was thus found on the 19th September to have fallen short of your expectations on the 28th February by 12,69,411 maunds.\* You found it necessary, therefore, to enlarge the provision of the Bengal agencies, and the importation from the coast of Coromandel.

20. In your Letter of 24th October 1817, you communicate to us the results of the reports for which the Salt agents had been called on, with respect to the capabilities of the Bengal Aurungs, and their maximum, medium, and minimum produce under the several contingencies of favourable, moderate, or unfavourable seasons; and you enter into a speculation on the probable results of these several contingencies in connection with the several contingencies of the results of the Cuttack agency, and of enlarged or restricted importation. In consequence of the views which these several results presented to you, you directed an enlarged importation from the coast, and ordered the several Salt Agents to form arrangements for the manufacture of the maximum quantity specified in their several estimates.

21. In your Letter of the 17th July 1818 you inform us, that, with reference to the deficient sales of the preceding year, and the high price of Salt then prevalent, you had resolved on bringing to sale 48,00,000 maunds, and on selling a larger quantity than usual at the earlier sales, and that, in pursuance of this resolution, you had already sold at the three first sales of 1818, 35,00,000 maunds; but that the produce of the agencies having been less than the medium produce, and the supplies from Cuttack having been very deficient, it would be necessary either to reduce the proposed quantity of the September sales, or to include in them a disproportionate quantity of foreign Salt. With a view, however, of supplying as large a quantity of Pungah Salt as possible, you intended to sell by anticipation two lacs of maunds of Cuttack Salt, to be delivered by the 1st February 1819, which you inform us in your Letter of 30th July 1819 had been

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* Balance in Store; end of 1816	..	..	23,99,230	✓
Expected to be reduced	..	..	14,00,000	
Actually reduced to	..	..	3,30,589	
			<hr/>	
			10,68,411	
Sales less than intended, by ..	..	..	2,00,000	
			<hr/>	
Provision short of Estimate 1817	..	..	12,69,411	

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been favourably effected; but the deficiency on the produce of the agencies and in the supplies from Cuttack had compelled you to reduce the September sales of 1818 from 13 lacs, as proposed, to 12 lacs of maunds, and that consequently the sales of 1818 had been reduced in quantity one lac of maunds below the scale you had originally determined to adopt. You add that, for the same reasons as in 1818, you had resolved on bringing 48,00,000 of maunds to sale in 1819, which we find you effected,\* and that, from the very small amount of the balance in store, you had authorized an unrestricted manufacture in the several agencies, and had required the same large importation as in the preceding year from the coast of Coromandel. You observe that you shall nevertheless anxiously labour to place the system permanently to be pursued on such a footing as to secure the greatest practicable public advantage, although present emergencies may compel you to depart from that course which, under ordinary circumstances, you should have deemed it right to pursue. You observe also, "We informed the Board at the same time that it was of course desirable to avoid, if possible, any increase in the cost of manufacture, provided the requisite quantity could be otherwise secured. It is still more essential to the prosperity of this branch of the revenue that any encouragement which may be given to the manufacture should be of a kind to be permanently continued without inconvenience, so that the quantity manufactured may not exceed what the fixed annual demand of Government requires. Any sudden and temporary increase which shall lead to subsequent restrictions, similar to those which have been necessarily imposed for some years past, must, in our judgment, infallibly be followed by an enlarged illicit traffic; whereas it may be hoped that, if the capabilities of the several agencies are judiciously called forth under an active, prudent and well-regulated system of management, the almost entire produce of the country may be brought into the Government golahs, and a check be thus given to smuggling much more effectually than by any direct measures of prevention."

22. The establishment, however, of a definite, well regulated system of management must depend on the full and clear understanding of the following points: The probable permanent standard of the annual demand; the consequent permanent standard of the annual provision; the respective proportions of that provision which it may be desirable and practicable to supply from the respective sources of manufacture and importation; the manner and degree in which the interests of your Presidency, and those of the Presidency of Fort St. George, may be affected by the adjustment of these proportions; and the amount of the balance which it may be desirable to hold permanently in store, to guard against the deficiencies of unfavourable seasons.

23. These points you have repeatedly brought to our notice as having been referred for the report and opinion of the Board of Trade, of the several authorities subordinate to that Board, and of the Government of Fort St. George.

24. In your Letter of 17th July 1818, you refer us to a Report of the Board of Trade, dated 23d September 1817; and we find recorded on your consultations of 16th December

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• Three first Sales .. .. .	35,00,000
September Sales, Consultations, 1st Oct. 1819 ..	13,00,000
	<hr/>
	48,00,000

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## Salt.

December 1818, a Letter from the Secretary to Government at Fort St. George, dated 10th November 1818, transmitting a communication from the Board of Revenue with respect to the supply of Salt from the coast to Bengal.

25. We also find recorded on your Consultations of the 6th May 1819, a report of your Board of Trade on the above communication, and your consequent reply to the Government of Fort St. George. After so repeatedly calling our attention to your expectation of those communications, we are surprised at your not having, when they were at length received, brought them specifically to our notice.

26. The probable permanent standard of the annual demand, and the consequent permanent standard of the annual provision, are assumed by the Board of Trade in their Report, dated 23d September 1817, at 46,00,000 maunds. This estimate does not appear to be made on any satisfactory grounds. We see, indeed, every reason to think that this may be assumed as the minimum amount of the demand of the market, supposing all circumstances to continue as at present; and that at the same time, even under present circumstances, a larger quantity might be advantageously sold. The amount of the sales, the amount of the selling price, and the net profit of the revenue have increased together during the last four years: *viz.*

		Maunds of Salt.	Net Profit.	Selling Price.
			Rs.	
In a subsequent Collection " Salt Account."	1221 or 1815-16 ..	39,34,663	83,84,563	314 12 0
	1222 or 1816-17 ..	44,48,676	96,57,251	334 8 4
	1223 or 1817-18 ..	45,18,697	1,04,66,030	336 3 0
	1224 or 1818-19 ..	47,95,342	1,11,42,639	341 4 3

27. It is evident that improved efficiency in the checks to illicit traffic will increase the demand on the lawful market. We speak only of the actual demand of the market as it now exists, without taking into consideration the probable increase of demand from the improvement of the country and the increase of population. Increased demand from the latter causes will be gradually progressive, and may be met by gradually progressive measures.

28. The profit derived by you on the coast Salt sold at the Calcutta sales is confessedly very inferior to that derived from the Salt manufactured at the Cuttack and Bengal agencies. In the degree in which the joint profit derived by you and the Government of Fort St. George from the coast Salt is inferior to the single profit derived by you on the Salt of your own agencies, a loss is sustained by the trade in coast Salt; and the Company, which is equally interested in the transactions of both Presidencies, must be considered a loser by the difference, there will remain only the advantage derived by the ship-owners to be set off against this loss; and unless it can be shown that the advantage derived by them is, on an enlarged view of the question, an advantage well purchased by the loss sustained by us, the expediency of continuing the importation of coast Salt is not on this ground made apparent. The necessity of importation will then stand on the sole ground of the inadequacy of the agencies to the supply of the market. This inadequacy is by no means clearly established. The very great redundancy of the supply under the operation

of the surplus system, and the very extensive measures which, in consequence of that redundancy, you adopted for checking the too great production of the agencies, would seem to show that the agencies alone are, under certain circumstances of encouragement, even more than adequate to the full supply of the market.

29. The Board of Trade in their Report dated 23d September 1817, advert to a Letter addressed to the Government of Fort St. George by the Board of Revenue at that Presidency on the 12th November 1813, from which it would appear that the revenue derived by the Government at Fort St. George from Salt exported to Bengal is very inconsiderable; but that the trade being of material assistance to the ship-owners, the Board of Revenue would, on the latter account only, regret its extinction.

30. It appears from the Report of the Madras Board of Revenue, dated the 5th November 1818, that the profit to the Madras treasury on a Madras garce of Salt, 120 Bengal maunds, is on an average about eight Arcot rupees; \* and though the Board of Revenue propose, when the stock in hand at Covelong is exhausted, to confine the exports to Bengal chiefly to Rajahmundry and Nellore, when it will be fair to calculate the average revenue derived by the Company at the Madras treasury on Salt exported to Bengal at 12 Arcot rupees per garce, still the profit is so inconsiderable as to weigh nothing in the scale against the great inferiority of the profit derived by you from the sale of the imported Salt, compared to that derived from the Salt of the agencies. The difference is estimated, in the Report of the Madras Board of Revenue, at about 84 rupees per % maunds; but it appears to be most correctly estimated by your Board of Trade on an average of ten successive years (excluding the years of the surplus system), at 63. 5. 7. per 100 maunds. The loss sustained by the general Government is therefore sicca rupees 54 on every 100 maunds of coast Salt imported by your Presidency.† The loss on 3,00,000 maunds is 1,62,000 sicca rupees.

31. "If," says the Madras Board of Revenue, "by relinquishing altogether the importation and sale of Coast Salt in Bengal, and increasing to a corresponding extent the sale of Bengal Salt, the price of the latter would not be affected, nor the total quantity of Salt purchased in any material degree diminished, it would follow that this sum (of sicca rupees 1,62,000) is sacrificed, and that all considerations immediately connected with

	Total Charges.			Profit to the		
	Sa. Rs.			Madras Treasury.		
* Vizagapatam .. ..	16	5	5	7	10	7
Rajahmundry .. ..	11	15	0	12	1	0
Nellore .. ..	12	15	7	11	0	5
Covelong .. ..	17	14	5	6	1	7
Tanjore .. ..	12	8	11	10	7	0½
<hr/>						
† Loss to Bengal .. ..	..	..	..	63	5	7
Gain to Madras .. ..	..	..	..	9	5	7
				54	0	0

Twelve Arcot rupees per Madras garce being Sa. Rs. 9. 5. 7. per 100 Bengal Maunds.



Salt.

with the merchants and inhabitants of the coast ought to give way before so serious a sacrifice of the public revenue."

32. It appears, so far as we have at present means to judge, that the interests of the Government of Fort St. George are not promoted by the exportation of coast Salt; that the interests of your Presidency suffer by the importation of it, and that the only two arguments for its continuance beyond the absolute deficiencies of the agencies are, 1st, the necessity of promoting to a certain extent the interests of the ship-owners at the expense of your own revenue; and, 2dly, the necessity of supplying the market with a certain quantity of the worst kind of Salt.

33. With respect to the first of these points, we cannot admit it as deserving of consideration, unless it were shown that, through the limited encouragement given to these ship-owners, an advantage were derived by the Government or the Public, of which, under any other circumstances, they would be deprived.

34. With respect to the second point, the necessity of supplying the market with a certain quantity of the worst kind of Salt, the Board of Trade is of opinion that, because a part of the population has become habituated to a bad kind of salt, and prefers it on account of its cheapness, the Government must necessarily continue to bring a certain proportion of inferior Salt to sale, and that this inferior Salt can, with most advantage to the revenue, be furnished by importation from the coast of Coromandel. We think the solidity of this opinion very questionable. If the whole quantity supplied were Pungah Salt of the agencies, or if the requisite quantity of inferior Salt were supplied by Kurkutch Salt of Cuttack, and if the supply of coast Salt were discontinued altogether, it is not to be supposed that the former purchasers of the coast Salt would not become, to the extent of their means and necessities, purchasers of the substituted supply; they would purchase at least an equal, and, in all cases in which their means would admit it, to a greater money value than before: it is matter of easy calculation that the same gross receipt on a given quantity of coast Salt, and on a smaller quantity of Bengal Salt, yields a higher net profit in the latter than in the former case;\* the public revenue, therefore, would not suffer by the change; but it may be said that the means of the poorer classes of the community enable them to consume only the smallest possible quantity of the worst kind of Salt, and that if the worst kind should cease to be supplied, the inevitable diminution of the quantity of their consumption will be a serious grievance to them, to which the improved quality will not be a counterbalancing advantage. This difficulty, however, is sufficiently met by the remarks of the Board of Trade, in their Letter of 30th March 1819; that the measure of relinquishing the importation of coast Salt

" would

\* Example 1817-18.

		Sa.	Rs.
The sale price per % maunds Bengal Salt was	.. ..	360	7 10
Ditto Coast Salt .. ..	.. ..	270	0 10
The net profit per % maunds Bengal Salt was	.. ..	276	0 5
The Coast Salt .. ..	.. ..	167	4 10
20,000 rupees would have purchased, of Bengal Salt	.. ..	5,548	mds.
— of coast Salt .. ..	.. ..	7,405	3 14
Net profit on 5,548 maunds of Bengal Salt..	.. ..	15,313	7 9
On 7,405. 3s. 14c. of coast Salt .. ..	.. ..	12,407	6 3

" would ultimately be attended with a proportionate advantage by enabling them (provided the Bengal and Cuttack agencies were capable of satisfying, without any risk of failure, the entire demand of the Bengal market) to give to the consumer a better Salt at the price probably now paid for coast Salt, and by bringing an increased quantity of Pungah Salt to sale, to make up for the diminution which such an arrangement would naturally occasion in the price ; and by lessening the temptation, to give a serious check to the illicit manufacture and traffic in Salt."

35. Still it is evident that the interests of the Bengal Presidency are promoted in proportion as the quantity of Cuttack and Bengal Salt predominates over that of foreign Salt in the periodical sales : it is therefore incumbent on you (giving all due consideration to the interests above-mentioned) to aim at supplying the sales with the maximum of Cuttack and Bengal Salt, that the capabilities of the agencies will allow, and the demand of the market will require, and with the minimum of coast Salt that the deficiencies of the agencies, and a liberal consideration of the interests above-mentioned may render it imperative on you to supply.

36. The Board of Trade is of opinion that 3,00,000 maunds of coast Salt will be an adequate permanent standard of importation ; and though present circumstances have obliged you to exceed this quantity as a temporary arrangement, and to extend the importation to 8,00,000, we conceive that, with the agencies in a proper state of efficiency, and a proper balance in store, it will never be necessary that a larger quantity than 3,00,000 should be imported. Under such a limitation of the supply, we trust that the Government of Fort St. George will experience little difficulty in furnishing you with the best description of Salt, and in effecting an arrangement by which that supply may reach Calcutta in an unadulterated state.

37. In taking into your consideration the measures of entirely dispensing with the supply which you have been in the practice of drawing from the coast, it will be necessary to bear in mind the effects which any sudden abandonment of the demand from Bengal would have upon the Salt Revenue of Fort St. George, either by throwing so considerable a quantity of the produce of that Presidency on the hands of the Government, or by affording the Molunghees the means of creating an extensive contraband traffic.

38. The very small balance of Salt in store, and the inadequate production of the agencies during the two or three past seasons, evidently rendered necessary the directions you have given, for enlarged importation as a temporary measure, and of giving the Molunghees of the Bengal agencies to understand that they should be allowed to extend the manufacture, without restriction to the quantity which might be specified in their respective tahoods. You have also authorized, on the suggestion of the Salt agent, the revival of the surplus system in Cuttack with certain modifications, which will render the extra expense from the measure very trivial, in comparison with the great advantages that promise to result from it, both to Government and to the people of Cuttack ; to Government, from the enlarged produce of the agency, which is confessedly its most profitable source of supply ; to the people, from restoring to them in its full extent a branch of beneficial employment, the restriction of which had operated most injuriously on their prosperity, and of which restriction, after the promises which had been held out to them, they had very just reason to complain.

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**ADMINISTRATION  
OF MONOPOLIES.****Salt.**

39. The amount at which it may be expedient to maintain the balance of Salt in store, you estimate, in your Letter of 28th February 1817, at 14,00,000 maunds. And we observe, that in the Board of Trade's Letter of 30th March 1819, and in your Secretary's Letter of 6th May following, the proposed amount of the balance in store is 15,00,000 maunds, *viz.* 10,00,000 in Bengal, and 5,00,000 in Fort St. George. There are many considerations which induce us to question the sufficiency of these estimates. The balance in store at the end of 1816 was ..... Maunds 23,99,230

The balance you expected on the 28th February 1817, would be reduced }  
by the end of 1817 to about 14,00,000, but it was actually reduced to } 3,30,589

You were thus obliged to draw, for the supply of the year, from the }  
balance in store ..... } 26,68,641

And notwithstanding this, you were still obliged to sell 2,00,000 maunds short of the intended sales. Under the circumstances of this season, it would have been necessary to have had in store, at the end of 1816, 36,86,641 maunds, in order to meet the full demand of 1817; and to have in store, at the end of 1817, a balance of 14,00,000 maunds. Notwithstanding the enlarged importation and unrestricted manufacture of 1818, the supply fell short of the estimate, and you were obliged to sell one lac of maunds less than you had intended for the sales of the year. The balance in store at the end of 1818, was 2,86,589. Under the circumstances of this season, it would have been necessary to have had in store, at the end of 1817, maunds 15,44,000, in order to meet the full demand of 1818, and to have in store, at the end of 1818, a balance of 14,00,000 maunds.

40. In the year 1818, the various sources of supply were called on for unrestricted exertions. Taking the years 1817 and 1818 together, you drew from the balance in store ..... 20,68,641  
44,000

21,12,641

and diminished the intended sales by ..... 3,00,000

The joint deficiency of these two years was, therefore..... Maunds 24,12,641

41. The minimum produce of the Bengal and Cuttack agencies is estimated at ..... 33,53,000

It is also stated to be at any rate not desirable, as a permanent measure, }  
to import from the Coast of Coromandel more than ..... } 3,00,000

36,53,000

The demand of the market has not of late been less than ..... 46,00,000

Deficiency in unfavourable seasons..... 9,53,000

Therefore, in the event of two successive unfavourable seasons, the deficit of 19,06,000 maunds must be supplied either by enlarged importation or by a balance to that amount in store.

42. Therefore, on the ground of experience, to guard against one such season as 1817, or two such seasons in succession as 1817 and 1818, would require a balance in store of nearly 25,00,000 maunds; and on the ground of calculation, to guard against two successive  
• unfavourable

- unfavourable seasons, yielding only the minimum produce, would require a balance in store of nearly 20,00,000 maunds; and in both cases the supply of the market would consume the whole of the balance. These considerations would seem to show, that the permanent standard of the balance in store ought not to be assumed at less than 20,00,000 maunds; but we do not by any means lay down this deduction as a rule for your guidance. We content ourselves for the present with calling your attention to a view of the subject which we conceive ought to be taken, in order that your prospective measures may derive the best use from the results of experience.

43. In the preceding examination we have taken a careful view of the present state of information and opinion on all the important points connected with the provision of Salt. On some of these points the results of further experience appear to be wanting, before a definite permanent system can be established. In the mean time, by giving the highest degree of encouragement to the best source of supply, in revising with very judicious modifications the surplus system in Cuttack, by giving the second degree of encouragement to the second best source of supply, in sanctioning an unlimited manufacture in the Bengal agencies; and by recurring for the supply of present deficiencies to the third and least beneficial source of supply, importation from the Coast of Coromandel, on an enlarged scale, as a temporary measure only, till the present necessities be removed, and till the various interests involved in the continuance or abrogation of that importation be better understood, you appear to have graduated your present measures on the most judicious scale which present circumstances allow, and to have left a sufficient opening for more permanent future arrangements.

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No. 21.

EXTRACT Letter, in the Separate Department, from the Court of Directors to the Governor-General in Council in Bengal; dated 17th November 1826.

Para. 52. WE are desirous that the price allowed to the Molunghees for their Tydaad Salt should, according to the circumstances of each place of manufacture, be such as to afford them an adequate profit, and that the greatest attention should be bestowed by the agents and their superintending officers in ascertaining as correctly as possible the productive powers of the various Aurungs, before they enter into detailed engagements with the manufacturers.

Letter from the Governor-General in Council to the Court of Directors, dated 30th July 1823. (229 to 233) Temporary adoption of the surplus system, or an enhanced price on the Salt delivered by the Molunghees in excess of their engagement.

53. In general we conceive that this adequate price would suffice to call forth the productive powers of the several Aurungs to the full extent of their capabilities; and if the engagements formed by the agents with the Molunghees were duly proportioned to those capabilities, the means of effecting a surplus produce would be so much limited that the danger of smuggling from that source would not be very great. When a bounty, as on the present occasion, is given to each manufacturer for all the surplus Salt which he

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may be able to deliver before the close of the manufacturing season, we are of opinion that this bounty should be regulated by the quality and quantity of the Salt delivered, and not with reference to its proportion of the tydaad.

54. As it is to be expected that in proportion as you succeed in preventing smuggling, the demand for the Government Salt will increase, we are led to hope the inconveniences which induced Government in 1813-14 not only to abandon the surplus system, but greatly to diminish the tydaads of the several agencies, will not be again experienced; and when such is the case a resort may be made to the surplus system with less apprehension of danger.

**No. 22.**

**EXTRACT** Letter in the Separate Department, from the Court of Directors to the Governor-General in Council in Bengal; dated 11th July 1827.

Letter from the Governor-General in Council to the Court of Directors, dated 23d March 1821. (94 to 101; also Letter 19th December 1822, and 30th July 1823, paras. 2 to 10; 17 and 158 to 176.) Salt accounts for the years 1818-19 to 1822-23, and provision for the years 1820-22 and 23; also explanation of the circumstances which led to the high price of Salt in 1822, and of the measures taken for preventing their recurrence.

Para. 23. The results exhibited by the accounts of these years are certainly in a high degree satisfactory. They indicate good administration in all the agencies; but we regret to observe that the very desirable object which you have long had in view, of effecting an increase of revenue from enlargement of consumption, instead of an increase of price, has yet been so imperfectly attained.

In the 160th paragraph of your Letter in this Department, of 30th July 1823, you observe that, "though the prices have been higher than we could have wished, the result of the statements" for 1820-21 and 1821-22 afford a gratifying evidence of the stability of this branch of the resources of Government. We are, however, of opinion, that the stability of the Salt revenue, as well as the comfort of the people, essentially depends upon the extension of consumption.

24. In that part of the 3d paragraph of your Letter of the 30th July 1823, in which you speak of fixing the net revenue which it is necessary to draw from the Salt monopoly, your meaning doubtless is, that whenever it appears that the average rate of consumption will, at the stated price, produce more than the amount which you have so fixed, the price shall be reduced. Of this principle we cordially approve, but should not less strenuously condemn any attempt to keep up the revenue of this amount through enhancement of price. The greater the quantity on which a given revenue is raised, the lighter, of course, as you justly remark, is the taxation, and the more secure the public resources; while another material advantage is, that by lowering the price you diminish the temptation to smuggling; and hence, that measures less annoying to the people, and of less expense, will suffice for its prevention. We are extremely happy to perceive that you attach importance to the diminution of the cost of this article to the people, which, to so great a part of them, constitutes their only luxury. We hope and confidently trust that there will be sufficient enlargement of sale to enable you to realize an adequate amount

amount of revenue from this source, consistently with a reduction of price, which of course will be gradual, but finally we doubt not will be large. We however wish you to consider whether, instead of periodical sales, the public might not be supplied with Salt from the Government warehouses at a fixed price, whereby the subordinate monopoly of the Salt merchants, who now purchase the Salt in large quantities at those sales, would be prevented, and Salt would not be liable to those excessive fluctuations in supply and in price to which the article is now subjected. We only throw out these suggestions for your consideration. We are most anxious that a limit should be put to the rate of this tax, and that the people should have the benefit, in reduction of price, of any increase of sale which the progress of demand may produce.

25. We are happy to perceive, by the experience of the last two or three years, that no apprehension is to be entertained of the want of means in the combined agencies, of extending the manufacture sufficiently to meet any demand; and all that is wanted is, that the Superintending Board should carefully attend to the circumstances influencing the demand and supply, a correct estimate of which will always enable you to adjust the one of these to the other.

26. We attach great importance to the experiment which is going on at Saugor, and conceive that very sanguine hopes may be entertained of its leading to the discovery of improved methods, by which the cost of production will be reduced, and the means of regulating the quantity to any state of demand will be placed more completely and promptly at your command.

27. The prospect with respect to the supply of Salt from Madras has also materially altered, the quality having been improved, the relative price has so much increased, that a greater rate of profit has been derived from it than from the average of the Bengal manufacture. We are anxious to be furnished with a report on the comparative qualities of the Coast and Bengal Salt, and on the means which have been successfully adopted for improving the quality of the former. In procuring this information from the Government of Fort St. George, we desire that you will enter into a full consideration of the advantages to be derived by an unrestricted trade in Salt and Grain between the two Presidencies, as the inconveniences resulting from the inferior quality of the Coast Salt can no longer be assigned as a reason for restricting the trade in those articles. The motive which exists for increasing it, as far as can be done without counterbalancing inconvenience, is sufficiently obvious.

28. The attempt of the more extensive dealers to create a sub-monopoly in their own favour, which occasioned the rise of price in 1822, defeated itself with so much loss and so much danger of ruin to the parties concerned, that we think with you there is little hazard of any such purpose being renewed. You are now also upon your guard, and, in case of a repeated attempt, the indulgence which you granted to them will not again be expedient.

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No. 23.

EXTRACT Letter in the Separate Department, from the Court of Directors to the Governor-General in Council in Bengal; dated 10th June 1829.

Letter from the Governor-General in Council, to the Court of Directors, dated 31st May 1827. (137 to 147, and 234 to 237.) Correspondence referred to, in proof of attention to the improvement of the Salt administration, particularly in respect to two points: sufficiency of supply, and security of the Revenue; objections against taxing the Karee Noon manufactured in Behar; inquiries as to the good or ill effects of the Chokey system, and deputation of Mr. Chester for the purpose of inquiry; increase of price to the Molunghcees in Bullooh and Chittagong, proposed by Mr. Chester; increase granted to those in the 24 pergunnahs.

Para. 34. THE correspondence to which we are here referred is voluminous; and we perceive by it that no small portion of your time, and of that of the local officers and Board has been bestowed upon it. We are sorry not to be able to add that the good effects have been correspondent; for neither in respect to sufficiency of supply, nor protection of the Revenue, do we see any reason to conclude that your securities are improved. You observe that much of the subject was still under consideration, and could not be finally disposed of in the Letter then to be despatched. In these circum-

stances we must content ourselves for the present with repeating, as we have often done, our great anxiety that you should be able at last to mature your plans upon this great concern, and let us know with some degree of certainty, what it is, and what it is not in your power to effect.

35. We perfectly concur in your decision with respect to the Kharee Noon manufactured in Behar, and in the sentiment on which the decision was grounded, that a measure is not advisable "which cannot but be harsh in its operation upon the poorer classes, and at the same time productive of little, if any, net revenue to the Treasury."

36. We have observed on your consultations, though not noticed in your Letter, a correspondence with the local officers in the several agencies on the question respecting which we formerly communicated to you our doubts, *viz.* whether the separation of the golah and the manufacturing omlah, or performing both sets of duties by one set of officers, was attended with the greatest advantages. As far as a very general concurrence of opinion affords evidence, you had reason to decide as you did, that the plan of separation is the best. You had also, we think, evidence to justify the favourable opinion you retain of the Chokey system.

37. Our attention has been attracted, in a particular manner, to the correspondence on the subject of increase of price to the Molunghcees. You have recognized the necessity of granting an increase of three annahs per maund in Pergunnah Calcutta, under the apprehension that the Molunghcees would otherwise desert the manufacture. Yet the circumstances stated in the letter of Mr. Secretary Mackenzie to the Salt Board, dated 14th September 1821, and quoted in our Letter to you in this Department, dated 11th July 1827, led you to doubt the statements of the agent regarding the insufficiency of the existing remuneration. With respect to the other agencies you have suspended decision and desired further information, having deputed Mr. Chester, a Member of the Board, to perform for that purpose a local investigation. In the mean time, in order to obviate a threatened deficiency in the supply of the year, you had authorized an additional remuneration for any quantity manufactured after a certain date. And we cannot but apprehend,

apprehend, from the whole import of the correspondence on the subject, that you will be under the necessity in future of paying a higher price for the manufacture.

38. With this prospect of an increase of cost, added to all the difficulties under which you labour from uncertainty of seasons, fluctuation of supply, and still, after all your promises, insufficient supply, we cannot but express our surprise that the means of obtaining from the coast, without any uncertainty, any quantity which you may desire, and (as we are informed on good evidence) of the best quality, should constantly appear to escape your attention. We shall call for more complete information on the subject from the Madras Government, and shall not decide without mature consideration; but the present impression on our minds is, that an arrangement far preferable to that which now exists might be made for obtaining the whole of your supply from the coast, and putting an end to the Bengal manufacture, with its complicated and most expensive machinery, altogether.

39. Your deliberations respecting the propriety of distributing Salt to the Molunghees for their own consumption; of establishing retail shops in Chittagong upon the plan of those in Cuttack; and of suppressing the manufacture of Noon Chye in Chittagong, offer no occasion for particular notice at present.

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No. 24.

EXTRACT Letter in the Separate Department, from the Court of Directors to the Governor-General in Council in Bengal; dated 4th November 1829.

Para. 22. ON the occasion of stating their opinion respecting the quantity of Salt which it would be expedient to bring forward for sale during the year, the Board entered at large into the general policy of increasing the supply, and delivered it as their conclusion, that any extension much beyond the actual supply, would be attended with great loss to the revenue.

23. We confess that their reasonings are far from being as satisfactory to our minds as they appear to have been to yours. It appears to us that the Board rather assume, than prove, the great fact upon which the whole question must turn, whether the population generally do, at the present prices, receive a full supply of the article; or whether the high price does not compel them to content themselves with a quantity below what they would like to enjoy. It is not a solution of this question to tell us, that there is a certain quantity of Salt which answers the demand of every individual; and when the individual has already the command of that quantity, he will increase it but little, however much the price may be reduced. This nobody doubts; but still the question remains, whether or not the population of Bengal do obtain this full quantity. The opinion which we have long entertained is that they do not; and that at a lower price they would consume a larger quantity.

24. We are quite willing to allow, that on neither side of this question can an opinion be considered as more than probable. It is to be determined by experiment, and not by opinion, least of all by the opinion of the Salt merchants. We also fully concur with  
you,



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you, that in the present state of your finances, the experiment ought not to be tried in such a manner as to risk any considerable loss of revenue. But we see no reason to anticipate that such would be the effect of a moderate but steady increase of the quantity from year to year. The result of any one year, it is obvious, cannot be regarded as a test; a series of years are required, more especially with the means which, under the present system, are possessed by the Salt merchants, of influencing the market, and which means the anticipation system, which you have since abandoned, was well calculated to augment.

25. The difficulty of procuring from your own agencies, not only an increase of supply, but even steadiness at the present amount, and the constantly increasing cost of production, we trust are at last prevailing upon you, to look to the coast as a source from which you may derive, with great advantage, a much larger proportion of your annual quantity than you have hitherto accepted from it. Our sentiments on this important point have been so often urged upon you on former occasions, that we shall not dwell upon them at present. It is necessary for us, however, to take notice of your decision respecting the proposal of Mr. Trotter, which you have communicated to us in your letter in this Department, dated 30th October 1828, paragraphs 218 and 219. We have received a Memorial from Mr. Trotter, who was then in England, upon the same subject, and will state to you in a few words, what has occurred to us respecting his proposal.

26. It is Mr. Trotter's opinion, and he appears to have bestowed a great deal of attention on the subject, that the Coromandel Salt might undergo a process of purification at Calcutta, which would adapt it perfectly to the Bengal market; that this article might always be supplied steadily, without dependence on the seasons or other cause of fluctuation; that it could be supplied at a less cost than the Salt manufactured at your own agencies; and that the quantity might be augmented to any extent which may be deemed expedient.

27. If these objects could be so obtained, it must be admitted that a great advantage would thence be derived to your Government. We think that you were perfectly justified, in fact it would have been imprudent to have done otherwise; in looking upon a new project of this nature with distrust, and in abstaining from any steps leading to its adoption, till you were convinced by satisfactory evidence that the results which it promised were likely to be realized. At the same time there is so much probability in the anticipations themselves, that the proposition deserved a full and deliberate investigation before it was thrown aside.

28. The Board of Customs, Salt and Opium, in forwarding to you the proposal of Mr. Trotter, stated certain reasons which appeared to them sufficient to justify its rejection. And upon these reasons of theirs you appear to have acted. The reasonings of the Board, however, are conjectural, as much as those of Mr. Trotter, and are but a weak foundation on which to rest a conclusion of any importance.

29. The Board take a favourable view, in our opinion one much too favourable, of the mode of providing your Salt by the present agencies. They next adduce some considerations to show that the cost of purification would be much greater than is stated by Mr. Trotter. We do not think that these considerations go far towards establishing the point; and they are directly met by the proposal of Messrs. Alexander and

and Co., to contract for the supply of a certain quantity of purified Salt at the rate mentioned by Mr. Trotter.

30. The Board state that the cost of apparatus, and other requisites for making the experiment, would amount to a large sum. This undoubtedly is an important consideration. But the conjectural statement of the Board on this subject should not be taken as a proof of the fact. And, at all events, this objection does not apply to the full experiment which might be made through the contract with Messrs. Alexander and Co.

31. We are disposed to lay more stress upon the objections, also adduced by the Board, that coast Salt may be obtained in sufficient purity for the Bengal market, without undergoing the process of purification. If so, there is, of course, no motive for subjecting it to that process. To this opinion, from all the information we have received, we ourselves incline. But if such be the fact, it sets in a strong light the fault of your policy in so long and obstinately declining to avail yourselves of this great resource.

32. The prejudice which, according to the Board, the natives have to the use of purified Salt, we should not consider a formidable objection, because we think by proper means it might soon be overcome.

33. We are not prepared to pronounce an opinion, either in favour of Mr. Trotter's plan or in opposition to it; but the circumstances which are from time to time forced upon our attention, concur in convincing us, that the present system is of very arduous management; that vices prevail in it, which you have neither succeeded in removing, nor are likely to remove; and that the imperfections of it will in no long time compel you to think seriously of great alterations. We therefore conceive it to be of the very greatest importance that, in the mean time, you should be careful to explore the merits of any suggestion that may be presented to you. With this view, we transmit the Memorial of Mr. Trotter, the substance of which you have already had before you, with a most serious recommendation that it may receive a far more deliberate consideration than that which was formerly bestowed upon it; and that the experiment, unless it is finally thought by you to offer no reasonable prospect of success, and that it would involve an expense to Government exceeding the value of any probable advantage, should be made. We need not add, that if it be made, you should take all requisite security for its being fairly made; and to save it from any chance of being defeated in the hands either of prejudice or of adverse interest. Of your inquiries and experiments we desire that you will keep us continually apprized, as there is nothing to which we attach a higher importance than to the just and beneficial regulation of this branch of the revenue. We sincerely hope that, feeling with us upon this point, you will lose no time after the receipt of this Despatch in instituting a full and fair inquiry; and your exertions, we are sure, will be zealous and unremitting till such time as you shall have perfected a system more in consonance with our wishes, and with the beneficent policy we desire to make the rule of our Government.

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No. 25.

EXTRACT Letter in the Separate Department, from the Court of Directors, to the Governor-General in Council in Bengal, dated 23d February 1831.

Letter from the Governor-General in Council to the Court of Directors, dated 8th December 1829.

(14 to 35) Correspondence with the Board of Customs, &c. respecting the supply of Salt for the ensuing year, and respecting the mode of administering the Salt Department for the future.

Para. 6. ON the first and more limited subject, the supply of the year, we have few observations to offer. You considered it the safest course to make no alteration in the existing mode, either of providing the article or vending it; deeming it however necessary, in consideration of the quantity on hand, to limit the amount of

the manufacture.

7. The correspondence of the Board is chiefly employed in establishing certain opinions which form the basis of the plan which they would recommend for the future administration of this branch of the revenue.

8. We shall first advert to a position\*of their's which they had urged on a former occasion, *viz.* That the population supplied with Salt from the Calcutta sales consume as much as they have occasion for, and would not increase their consumption if the price were reduced. We offered some remarks on this supposition in our Despatch in this Department, dated 4th November 1829, to which we have not yet received your answer, and to which we again direct your attention.

9. It is stated in support of this opinion in the correspondence before us, that six seers of Salt is the annual consumption of one man; and that, according to the most probable estimate of the number of inhabitants, this quantity is actually supplied to each. This however does not appear to us to be sufficient. The Board may know that six seers only are consumed at the present price, but we distrust their inference, that more would not be consumed at a lower price.

10. As little satisfactory is their reference to the annual returns of golah clearances, to show that the increase of supply has kept pace with the increase of population. This has no tendency to prove that at every one of those dates the same population would not have taken off a greater quantity at a smaller price.

11. We admit, however, that doubt may be entertained whether reduction of price would be accompanied by a proportional increase of consumption. This can be determined only by experiment; and we agree that the experiment ought to be made cautiously by slight alterations at a time, either by a small reduction of the price, if the stores are opened at a fixed price, or by a small addition to the quantity sold, if the plan of periodical sales is persevered in. At the same time we are decidedly of opinion, that for so important an object as cheapening to the population so material an article of consumption, a risk of some temporary diminution of revenue might not improperly be incurred.

12. We do not think that it is evidence against the making of such an experiment, that the merchants, when the sales have been large, have been dilatory in making clearances from the golahs, and have left a quantity on hand till the succeeding year. It was obviously

obviously the interest of the merchants to keep up the retail price ; and if they entertained the hope, that by reserving a portion of the supply of the present year, they should induce the Government to lessen the supply of the subsequent year so far as to keep up the price in that year to the same level at which they had retained it in the foregoing year, they were relieved from the apprehension of loss on account of the quantity remaining in store. If they had been well assured of your steady perseverance in keeping up the augmented supply, the dread of a still greater reduction of price in the second year would have prevented them from keeping back any portion of the supply of the first. We are of opinion, therefore, that the delay of the merchants in clearing the golahs is no proof that the market was incompetent to take off a greater quantity at a smaller price.

13. The arguments by which the Board dissuaded you from opening the golahs at a certain fixed price, and in this manner trying how much would be taken off for consumption under a slight reduction of price, an experiment which apparently would be attended with very little risk, appear to us likewise to require reconsideration.

14. They told you that " the departure from the established course must operate to derange in some degree the existing methods of supplying the interior, and hence would not be free from risk." This supposition appears to us to be groundless. The merchants now buy at your sales, and take the article out of your stores at such times, and in such quantities as suits their convenience for transmitting it into the interior. Their having it in their power to go to your stores and purchase the quantity which they need, at the time when they need it, does not appear to us to necessitate any derangement of the existing method of supplying the interior.

15. They further assured you, " that under the necessity of clearing Salt actually purchased, there would be a stimulus for carrying the article into the interior, which not being felt under the assurance of always being able to obtain it when wanted for a speculation, would operate to make the plan of fixed sales more favourable for the consumer than that of the fixed prices ; besides that the former was in many respects more favourable to the revenue." We think that these inferences are too hastily drawn. The stimulus for carrying the article into the interior, is in all cases the profit to be made by the transaction. The necessity of clearing the Salt purchased at the sales cannot have the effect ascribed to it, because practically it has no operation, it being one of the statements of the Board that the clearances are not made. One of the effects indeed which it seems reasonable to anticipate from keeping the golahs open for the supply at all times of all demands, is that of a regular supply to the consumer ; because, in that case, every person, without exception, can send Salt into the interior, whenever the profit is such as to afford him the inducement ; whereas, when a few merchants at your fixed sales take off in large purchases the whole quantity sold, they can afterwards, by withholding supply, exercise for their own advantage a great degree of control over the price. That the selling at a fixed price should be more unfavourable to the revenue, if the quantity sold and the price at which it is sold are the same, is impossible. If the price is lowered by Government, on purpose that the experiment may be tried whether the lowness of price will not be compensated by increase of consumption, that is the Go-

**Salt.**

vernment's own act, the consequences of which it is willing to try ; consequences wholly distinct from those of a difference in the mode of conducting the Government sales.

16. The Board give it as their opinion that the tax on Salt, as now paid by the people, is little felt. Inferences of this sort, however, should be very cautiously admitted. The sum paid by each individual is indeed inconsiderable, but when we compare it with the small amount of the earnings of a poor ryot, the proportion does not appear to be small.

17. The plan recommended by the Board, on the strength of these arguments, is, that a quantity of Salt, to the extent of 45 or 46 lacs of maunds, and not more, should be disposed of at periodical sales in each year, and that of this no more than six lacs of maunds should consist of Salt from Madras. On the first of these propositions you did not think it necessary for you to come to an immediate decision, further than related to the question of the present year ; but you concurred with the Board in their view of the permanent limit which should be applied to the amount received from the coast, though the Madras Government stated strongly their opinion that, with a view to the interests of both Presidencies, not less than eight lacs ought to be steadily supplied.

18. In addition to what is urged above, as grounds of doubt respecting the conclusion of the Board that 46 lacs of maunds is an adequate supply, we may still observe that though it is stated by the Board that, on the average of twenty years, the quantity of Salt cleared from the golahs and carried into the interior amounted to about 45½ lacs of maunds, it appears by the table you have transmitted in your Letter, that in the first ten years of this period, the average quantity consumed in the provinces intended to be supplied with your Salt amounted to 44,20,114, and in the last ten years to 47,88,230 ; in the last four years to 47,66,983.

19. Upon a general view of the quantities, it is evident that the consumption may be considered to be progressive, and that the quantity of 47½ lacs of maunds may be considered as that which, at the present time, may be expected to be sold without any diminution of price.

20. A yet more conclusive opinion may be formed upon this point if the prices in these three periods be attended to.

21. In the first period the average price was 334 rupees the 100 maunds ; in the second, 377 ; in the third, in which the quantity sold was rather below the average of the ten last years, the price rose to 399 rupees, thus showing a steady demand on the part of the consumer at an increased price ; the average quantity sold in the last four years, producing at the average price of those years 1,90,20,262 rupees, and the average quantity of the ten years at the price of those years, 1,80,51,627.

22. We have no intention to urge upon you the adoption of any views of ours, because we are satisfied that you have better means of arriving at an accurate conclusion than we have ; and our only desire is, that you should carefully and impartially exercise your own judgment. We have offered such observations on the arguments of the Board as we thought might deserve your consideration ; and we trust that you will always scrupulously examine for yourselves the reasons which are offered to you by subordinate authorities ; knowing that it is your peculiar duty to check the biases to which they may be liable.

- 23. The object of the regulation is two-fold; first, to equalize the duty on the importation of Salt into the Western Provinces, and slightly to increase it, the duty on its consumption being at the same time repealed; and, secondly, to impose an additional duty upon its importation into the Province of Benares. We are in hopes that the first of these measures will not be injurious to the revenue, while it will certainly relieve the consumer from a duty of a vexatious nature.

(30 to 41.) Correspondence relative to the design of increasing the rate of duty on Salt in the Western Provinces, including Benares; and a Regulation to that effect enacted.

24. Though in the province to which the second measure extends the tax upon Salt was lower than in those supplied from the Calcutta sales, we believe that the population there was at least as highly taxed, in the proportion to its means, as the population in the other provinces; and if so, it may be found that even your exchequer may not benefit by the imposition of a new duty.

25. As the measure has been some time in operation, we shall content ourselves for the present with desiring you to transmit to us full information respecting the effects which may have been produced by it; that we may know, not merely how it has affected the revenue, either as to amount or the difficulty of realizing it, but still more particularly how it has affected both the circumstances and the sentiments of the people.

26. The impost does not clearly appear to be included in the class of duties which require for their enactment the consent of the home authorities; but as the question is not free from doubt, we think it advisable to annex the prescribed form; and do hereby, with the approbation of the Commissioners for the Affairs of India, sanction and approve the regulation entitled, "A Regulation for increasing the rates of duty on Western Salts imported into or in transit through the ceded and conquered provinces, for levying a further duty on those Salts on their entering the province of Benares, and for remitting the town duty leviable under the existing regulations on Western Salts imported for consumption into the city of Benares, and towns of Mirzapore and Ghazee pore."

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No. 26.

LETTER, in the Separate Department, from the Governor-General in Council in Bengal to the Court of Directors, &c. &c. &c.; dated the 8th of December 1829.

Honourable Sirs:

Our last Letter to your Honourable Court, in this Department, was dated the 7th July last.

2. Our proceedings in the Salt department have lately assumed an importance which entitles your Honourable Court to expect that we should separately report to you on the subject of them. The orders and observations contained in the Letter of your Honourable Court in this Department, dated 10th June last, Paras. 34—43, and *passim*, render it more necessary that we should not longer delay this communication.

3. Your Honourable Court is aware that, towards the end of each year, the Board of Customs, Salt and Opium, report to us ordinarily on the arrangements to be made for the supply of Salt in the following year, with reference in particular to the requisitions for

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this article to be made from the coast. In our Letters, dated 12th September 1828, dispatched by the private ship Victory, paras. 3 to 7, we referred your Honourable Court to our proceedings in respect to the Report of the Board relative to the supply of Salt for 1828. On that occasion we discussed with the Board, at some length, the prospects of its department, and the practicability of extending the supply for consumption without injury to the revenue derived by Government from Salt. We had hoped that by drawing your attention in this manner to the views we proposed then to act upon, we had complied with the wishes heretofore conveyed to us by your Honourable Court, to be put in possession of our sentiments on this subject; but we regret to observe from the tenor of some of the observations in the Letter above acknowledged, which bears a date posterior to the receipt of our Despatch of September 1828, that you were not satisfied with the information and explanations furnished by us.

4. We hasten, therefore, to supply the further more complete information, which our subsequent correspondence with the Board of Customs, Salt and Opium, on this important subject will be found to have elicited; but it will be necessary that we should, in the first instance, notice that the statement assumed in para. 42, of your Letter of the 10th June last as the basis of reasoning in regard to the annual revenue and the annual supply of Salt, is taken from accounts which do not afford, and never were intended to afford, data for such calculations.

5. An examination of the items included in these statements will show that they exhibit the commercial out-turn of the *manufacture* of each year at the Bengal agencies, with the out-turn of as much Cuttack, Coast, and other imported Salt, as may be brought to sale in a different year from that of manufacture, *viz.* from the 1st of May to the 30th of April following; and so with the quantity sold in retail, which is exhibited for the same twelve months of account. The season of manufacture commences, as your Honourable Court is well aware, in the month of December, and continues until the end of May. The agency Salt of the season is generally first brought to sale in the month of March, and the whole of it will ordinarily be sold by the March or April following; the year's produce, however, though spread over the sales of a period of fourteen months, and sometimes more, appears entire in the annual account, the object being to exhibit a commercial balance on the operations of the year of manufacture, with a view to calculation of the agent's commission earned thereby, rather than for any purpose connected with the revenue of a given period, or to show the quantity of the article provided and given out for consumption in that space of time. The consequence is, that if the manufacture is productive, and the season favourable, a large quantity of agency Salt will appear in these annual accounts.

If, again, the produce has been short, there will be little shown; but it must not thence be concluded that more was provided for the consumer in the period comprehended in the former statement than in the latter; for its deficiency will, nay must, have been supplied either by Salt of the preceding year, sold in the early months, March and April, and already included in the previous year's account, or by Salt of the following year, sold in the later months, and not brought to account till the following year, because not of the same season's manufacture.

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6. As much fallacious reasoning has been built upon the assumption that these statements exhibit the annual supply for consumption and the annual revenue, whereas, for the reason above stated, they do neither, we deem it necessary to submit the following analysis of the items cited by your Honourable Court, which were as follows:

Salt.

	Maunds.	Net Profit.
1821-22 .. .. .	53,79,524	1,49,07,387
1822-23 .. .. .	49,24,875	1,53,47,049
1823-24 .. .. .	50,57,447	1,29,47,397
1824-25 .. .. .	51,62,009	1,13,67,326
1825-26 .. .. .	46,13,516	1,13,46,825

Now these items analyzed, stand as follows:

	Quantity of Salt.	TOTAL.	Net Profit.	TOTAL.
1821-22:				
Agency Salt of 1827 manufacture, sold in six sales of 13 months, March to March }	40,82,733	—	1,13,83,983	
Imported Salt at Sulkea, viz. Cuttack, Madras, Permit, Bombay, and Rock Salt; also 9,302 maunds of confiscated Salt, sold between the 1st May 1821 and 30th April 1822 .. .. . }	10,49,566	—	27,71,693	
Salt sold by retail in Cuttack, between 1st May 1821 and 30th April 1822 }	2,47,225	—	3,35,925	
Deduct French Convention in money ..	—	53,79,524	—	1,44,91,602
				3,94,215
				1,40,97,387
1822-23:				
Agency Salt of 1828, sold from March 1822 to April 1823, 14 months .. }	35,77,381	—	1,18,06,550	
Sulkea imported and confiscated Salt, sold from 1st May 1822 to 30th April 1823 .. .. . }	10,64,212	—		
Cuttack retail Salt, sold from May to April, ditto .. .. . }	2,83,282	—		
Add amount penalty received from Salt Merchants, after deducting Convention to French Govern- ment .. .. . }	—	49,24,875	—	1,51,87,476
				1,59,573
				1,53,47,049
1823-24:				
Agency Salt of 1829, sold from March 1823 to April 1824, 14 months .. }	36,54,485	—	1,04,83,777	
Sulkea imported and confiscated Salt, sold from 1st May 1823 to 30th April 1824 .. .. . }	11,67,734	—	26,71,185	
Salt sold by retail, in Cuttack, from May 1823 to April 1824 .. .. . }	2,35,228	—	2,45,490	
Deduct paid to French Government as per Convention, and premium to Salt Merchants .. .. . }	—	50,57,447	—	1,33,69,452
				4,22,055
				1,29,47,397

(continued.)



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(continued.)

	Quantity of Salt.	TOTAL.	Net Profit.	TOTAL.
1824-25:				
Agency Salt of 1830, sold from March to December 1824 .. .. . }	35,58,127	—	89,26,223	
Sulkea imported and confiscated Salt, sold from May 1824 to April 1825 }	13,10,763	—	26,73,443	
Salt sold by retail in Cuttack, from May 1824 to April 1825 .. }	2,93,119	—	2,99,601	
		51,62,009		1,18,99,267
Deduct paid to French and Danish Governments on account of Con- vention, as also the amount awarded in mitigation of penalty }	—	—	—	5,31,941
				1,13,67,326
1825-26:				
Agency Salt of 1831, sold from March 1825 to April 1826 .. .. }	26,23,359	—	76,65,714	
Sulkea imported and confiscated Salt, sold from May to ditto .. .. }	16,26,513	—	35,91,105	
Salt sold by retail in Cuttack, from May 1825 to April 1826 .. .. }	3,63,644	—	3,35,993	
		46,13,516		1,18,92,812
Deduct paid to French and Danish Governments on account of Con- vention, and for Salt destroyed by hurricane .. .. . }	—	—	—	5,45,987
				1,13,46,825

7. From the above statement your Honourable Court will observe, that the variation of quantity depends mainly on the quantity of agency Salt brought into the account ; in other words, on the productiveness of the manufacture of the year. The following further detail for the first and last years of the statement which exhibit the extremes in respect to quantity, will explain the manner in which the apparently deficient supply of the last year was made up to the consumer ; for it is a remarkable circumstance that these two years, compared with reference to the quantity of Salt advertised for sale, and actually sold in them respectively, exhibit a result the direct reverse of that on which your Honourable Court have argued. The quantity of Salt sold in 1821-22, that is, between the 1st of May of 1821 and the 30th of April 1822, was only 47,00,000 ; whereas, in the same period of 1825-6, there were 50 lacs of maunds sold, as will be seen noted in the statement :

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1821-22.	AGENCY SALT OF			Imported Salt and Confiscated.	TOTAL Advertised Amount.	Salt.
	1826.	1827.	1828.			
Salt Sale of March 1821..	1,08,000	7,92,000	—	2,00,000	11,00,000	Last Sale of the year of account, 1820-21.
Ditto .. May ..	—	9,30,252	—	2,69,748	12,00,000	
Ditto .. July ..	—	10,00,347	—	1,99,653	12,00,000	
Ditto .. Sept. ..	—	5,40,000	—	1,60,000	7,00,000	
Ditto .. Dec. ..	—	4,98,044	—	2,01,956	7,00,000	
Ditto .. March 1822	—	3,07,558	3,91,769	2,00,673	9,00,000	
* Add sold to the French, with small retail Sale at Tumlook, Bullooh, and Chittagong .. ..		40,68,201	* and loss by accident }	17,222	47,00,000	
	—	14,531	Marine and Isle of France }	314		
		40,83,732		10,49,566		

\* These small items are added to balance the Account, and make the items correspond with the previous Statement.

8. From the above statement it will be seen that the March sale of 1821, which did not enter into the period of account by which the imported Salt of the year is calculated, contributed no less a quantity than 7,92,000 maunds towards the aggregate of agency Salt included in the item quoted by your Honourable Court, because that quantity of the year's manufacture was then sold, the remnant of the preceding year's produce 1,08,000 maunds, which, with two lacs of imported Salt, made up the sale allotment of March 1821, 11 lacs had been brought to account in the preceding year, as belonging thereto. Again, in the sale of March 1822, the manufacture having been favourable, the remnant of 1827 Salt for sale was 3,07,558 maunds, to which only 3,91,769 of the following year's produce required to be added to complete the sale allotment; but this latter quantity, like the 7,92,000, of the preceding March, remained to be carried to account with the rest of the produce of the same year, in the next annual statement of profit realized.

9. In 1825-26, 50 lacs of maunds were, as above stated, advertised to be sold in monthly sales; that is, in 12 sales from the 1st May 1825, to the 30th April; but the Salt of 1831 was brought forward at the two preceding sales of March and April 1825. The result of these two months have therefore been included, in order to show the distribution of the year's produce, which, from inundation and unfavourable weather, was only maunds 26,23,359. On the other hand, the proportion of Salt taken from the production

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duction of the following year to make up the allotments of the last sales of the year (1825-6); is excluded from the statement, and remains for that of the following year, when the operations of the Salt season 1232 might be under review.

1825-26.				AGENCY SALT.			SULKEA Imported and Confiscated.	TOTAL of each SALE.
				SALT OF 1230.	SALT OF 1231.	SALT OF 1232.		
Salt sale of March ..	1825	..	none re- maining. }	3,59,726	—	—	40,274	4,00,000
Ditto .. April ..	..	..	—	2,80,000	—	—	1,20,000	4,00,000
Ditto .. May ..	..	..	—	2,50,000	—	—	4,50,000	4,00,000
Ditto .. June ..	..	..	—	2,79,198	—	—	2,20,802	4,00,000
Ditto .. July ..	..	..	—	2,75,000	—	—	2,25,000	4,00,000
Ditto .. August ..	..	..	—	3,36,777	—	—	63,223	4,00,000
Ditto .. September ..	..	..	—	2,55,000	—	—	1,45,000	4,00,000
Ditto .. October ..	..	..	—	1,99,736	—	—	2,00,264	4,00,000
Ditto .. November ..	..	..	—	2,18,000	—	—	1,82,000	4,00,000
Ditto .. December ..	..	..	—	1,10,400	1,66,000	—	1,23,600	4,00,000
Ditto .. January ..	1826	..	—	4,000	2,62,000	—	1,34,000	4,00,000
Ditto .. February ..	..	..	—	1,000	2,55,000	—	1,44,000	4,00,000
Ditto .. March ..	..	..	—	14,664	2,84,897	—	1,00,439	4,00,000
Ditto .. April ..	..	..	—	18,034	2,50,999	—	1,30,967	4,00,000
				26,01,136	12,18,896	—	18,19,295	50,00,000
					Add Transfer..	—	4,348	
					Deduct trans- ferred in ac- count agency Salt being de- livered instead deficiency in- cluded ..	—	18,23,643	
				22,224		—	1,97,130	
				26,23,359		—	16,26,513	

Add sales to French, and  
small retails as above }

10. The transfer deducted from the quantity of Sulkea Salt was mainly an exchange made on the application of the merchants of agency for coast Salt on their paying the difference of price. The agency Salt given was of course of the season 1823, so as not to fall within the account of this year. That of the following season was, however, proportionably enhanced. We take this occasion to refer your Honourable Court to the result of the two years following, 1825-6, which unless the manner in which the statements are prepared were understood, might justify our citing them as affording triumphant proof of the prosperous condition into which this item of revenue had subsequently been brought.

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	Mds.	Mds.	Rs.	
1826-27 :				
Agency Salt of 1232, sold from December 1825 to April 1826, 17 months .. }	33,51,141	—	1,05,20,467	
Sulkea Salt, viz. Cuttack, Madras, Permit, Rock, Mocha and confiscated Salt, sold from May 1825 to April 1826 .. }	16,67,956	—	48,28,325	
Salt sold by retail in Cuttack, from ditto to ditto .. .. . }	3,38,974	—	2,72,827	
		53,58,071		1,56,21,619
Deduct paid to French and Danish Governments, on account of convention, &c. .. .. . }	—	—	—	4,94,753
			Sa. Rs.	1,51,26,866
1827-28 :				
Agency Salt of 1233, sold from March 1826 to April 1827, 14 months .. }	38,64,572	—	1,24,04,884	
Sulkea Salt, viz. Cuttack, Coast and confiscated Salt, sold from May 1826 to April 1827 .. .. . }	20,49,275	—	59,14,258	
Salt sold by retail in Cuttack, from ditto to ditto .. .. . }	2,84,666	—	2,90,031	
		61,98,513		1,86,09,173
Deduct paid to French and Danish Governments, on account of Convention, &c. .. .. . }	—	—	—	3,30,988
			Sa. Rs.	1,82,78,185

11. In reply to the Letter of the Board forwarding the results for the year 1827-28, we pointed out that these statements afforded no just criterion either of the quantity of Salt given out for consumption, or of the revenue realized in a given period. We hope we have made the causes of this intelligible to your Honourable Court.

12. Since, however, it is of the utmost importance that, in considering a subject of this nature, the facts which are to form the basis of argument should be clearly set forth, we hope to be excused for anticipating the review of our proceedings about to be submitted, so far as to include the following statement, which formed an enclosure in a Letter from the Board, dated 9th July last,\* and was prepared with the specific object of showing how the consumption of the country had been supplied since the first establishment of the present system of management for this item of revenue. We beg to refer to it, as exhibiting the only correct data upon which any conclusion can be drawn as to whether the population have been adequately supplied with Salt, or the contrary, at any given period, and as it was prepared from the Gold returns with great care, we have no reason whatsoever to doubt its accuracy.

STATEMENT

\* Separate Consultations, August 25, 1829. No. 10.

# 1006 FOURTH APPENDIX TO THE THIRD REPORT OF THE

## STATEMENT of the Consumption of SALT in Bengal,

YEAR.	Salt sold, but remaining uncleared in the Golahs on 31st January of preceding Year.	Quantity of Salt Sold by Public Auction in the Year.	Total Quantity of Salt available, and which it rested with the Purchasers to clear.	Quantity of Salt Consumed in those Provinces which were with the Honourable Company's Salt				
				Salt cleared out of the Honourable Company's Golahs.	Retail Sales at			Salt supplied to the French Government.
					TUMLOOK.	JESSORE.	BULLOOAH.	
	1.	2.	3.	4.	5.	6.	7.	8.
1790 ..	—	31,09,000	31,09,000	31,09,000	—	—	—	—
1791 ..	—	30,15,735	30,15,735	30,15,735	—	—	—	—
1792 ..	—	32,50,000	32,50,000	32,50,000	—	—	—	—
1793 ..	—	35,66,231	35,66,231	35,66,231	—	—	—	—
1794 ..	—	34,00,000	34,00,000	30,20,967	—	—	—	—
1795 ..	3,79,033	36,00,000	39,79,033	57,77,957	—	—	—	—
1796 ..	2,01,076	36,00,000	38,01,076	34,29,774	—	—	—	—
1797 ..	3,71,302	33,50,000	37,21,302	35,09,137	—	—	—	—
1798 ..	2,12,165	34,00,000	36,12,165	32,34,662	—	—	—	—
1799 ..	3,77,503	34,00,000	37,77,503	32,27,693	—	—	—	—
1800 ..	5,49,810	34,00,000	39,49,810	32,44,945	—	—	—	—
1801 ..	7,04,865	30,00,000	37,04,865	33,56,420	—	—	—	—
1802 ..	3,48,445	35,00,000	38,48,445	35,20,302	—	—	—	—
1803 ..	3,28,143	39,00,000	42,28,143	37,96,662	—	—	—	—
1804 ..	4,31,481	40,00,000	44,31,481	38,90,900	—	—	—	—
1805 ..	5,40,581	41,00,000	46,40,581	42,07,181	—	—	—	—
1806 ..	4,33,400	42,00,000	46,33,400	41,55,178	—	—	—	—
1807 ..	4,78,222	43,00,000	47,78,222	44,86,514	—	—	—	—
1808 ..	2,91,708	44,00,000	46,91,708	42,22,250	—	—	—	—
1809 ..	4,69,458	44,00,000	48,69,458	42,41,974	—	—	—	—
1810 ..	6,27,484	45,00,000	51,27,484	44,21,117	—	—	1,275	—
1811 ..	7,06,367	43,00,000	50,06,367	43,01,183	—	—	611	—
1812 ..	7,05,184	46,00,000	53,05,184	45,50,298	—	—	678	—
1813 ..	7,54,886	46,00,000	53,54,886	43,63,683	—	—	40	—
1814 ..	9,91,203	44,00,000	53,91,203	43,12,741	—	—	10	—
1815 ..	10,78,462	42,00,000	52,78,462	43,81,996	—	—	1,200	—
1816 ..	8,96,466	45,00,000	53,96,466	46,26,578	50	—	25	—
1817 ..	7,69,888	44,00,000	51,69,888	43,31,863	500	—	1,150	—
1818 ..	8,38,025	47,00,000	55,38,025	46,41,102	100	—	975	12,000
1819 ..	8,96,923	48,00,000	56,96,923	49,48,129	150	—	651	12,000
1820 ..	7,48,794	49,00,000	56,48,794	46,22,279	50	—	187	—
1821 ..	10,26,515	49,00,000	59,26,515	46,38,392	25	—	646	12,000
1822 ..	12,88,123	46,00,000	58,88,123	45,91,678	150	—	2,527	12,000
1823 ..	12,96,445	50,00,000	62,96,445	47,57,391	200	—	736	12,000
1824 ..	15,39,054	50,00,000	65,39,054	51,34,460	200	—	780	9,000
1825 ..	14,04,594	50,00,000	64,04,594	48,64,030	300	283	1,860	9,000
1826 ..	15,40,564	47,00,000	62,40,564	45,01,716	100	3,423	14,278	12,000
1827 ..	17,38,848	47,00,000	64,38,848	51,12,709	50	9,546	17,291	12,000
1828 ..	13,26,139	46,00,000	59,26,139	44,49,606	50	1,319	7,789	12,000

# SELECT COMMITTEE OF THE HOUSE OF COMMONS.

1007

Behar and Orissa, from 1790 to 1828, both Years inclusive.

intended to be supplied in 1790.		Quinquennial and Annual Average Increase in the Supply.	Average Price per 100 Maunds Salt, sold at the Honourable Company's Sale.	Retail Sale of Salt at Reduced Prices.			TOTAL SUPPLY of LICIT SALT of every Description to the Inhabitants of those Provinces, the Consumption of which was intended to be provided by the Monopoly.	YEAR.
Quantity of Salt Imported on which Custom Duties were paid.	TOTAL.			In Cuttack, when that Province was added to those intended to be supplied with Company's Salt in 1790.	At Chittagong, in consequence of the Abolition of a Local Manufacture.	TOTAL.		
9.	10.	11.	12.	13.	14.	15.	16.	
—	31,09,000	—	£. s. d.	—	—	—	31,09,000	1790
—	30,15,735	—	243 7 3	—	—	—	30,15,735	1791
—	32,50,000	—	216 4 10	—	—	—	32,52,000	1792
—	35,66,231	—	288 4 2	—	—	—	35,66,231	1793
—	30,20,967	—	302 7 4	—	—	—	30,20,967	1794
—	37,77,957	Quinquennial 12,17,290	301 12 2	—	—	—	37,78,986	1795
—	34,29,774		287 4 9	—	1,029	1,029	34,30,590	1796
—	35,09,137		302 1 11	—	816	816	35,10,137	1797
—	32,34,662	Annual 2,43,458	300 4 7	—	1,000	1,000	32,35,320	1798
—	32,27,693		327 10 0	—	658	658	32,27,693	1799
—	32,44,945	Quinquennial 6,30,006	314 4 3	—	—	—	32,45,455	1800
—	35,56,420		257 10 10	—	510	510	33,57,420	1801
—	35,20,302		281 7 4	—	1,000	1,000	35,21,704	1802
—	37,96,662	Annual 1,26,001	370 6 0	—	1,402	1,402	37,97,690	1803
—	38,90,900		420 6 10	—	1,028	1,028	38,92,100	1804
—	42,07,181	Quinquennial 35,03,868	354 4 3	—	1,200	1,200	42,08,381	1805
—	41,55,178		323 5 3	—	1,200	1,200	42,98,820	1806
—	44,86,514		321 11 10	1,42,442	1,200	1,43,642	45,79,460	1807
—	42,22,250	Annual 7,00,773	362 12 11	91,744	1,202	92,946	43,38,860	1808
—	42,41,974		374 0 10	1,15,550	1,060	1,16,610	43,57,522	1809
—	44,22,392	Quinquennial 6,38,536	331 0 10	1,14,373	1,175	1,15,548	45,39,906	1810
—	43,11,794		335 12 8	1,17,514	—	1,17,514	46,87,413	1811
—	45,50,976		349 2 4	87,987	1,000	88,987	45,02,963	1812
—	43,63,720	Annual 1,27,707	331 5 9	1,35,212	1,225	1,36,437	44,63,500	1813
—	43,12,751		326 1 11	1,37,470	1,773	1,39,243	45,54,144	1814
—	43,83,196	Quinquennial 10,31,388	306 11 10	1,49,539	1,210	1,50,749	47,60,665	1815
—	46,26,653		312 9 10	1,70,008	940	1,70,948	44,61,175	1816
—	43,33,513		326 3 9	1,32,777	1,235	1,34,012	48,71,488	1817
—	46,54,177	Annual 20,67,277	381 1 0	1,26,497	1,165	1,27,662	52,39,980	1818
24,652	40,84,582		341 0 10	2,16,405	906	2,17,311	48,88,219	1819
13,740	46,35,256	Quinquennial 8,46,717	329 1 5	2,54,508	890	2,55,398	49,01,082	1820
936	46,51,999		333 11 2	2,51,986	977	2,52,963	50,12,684	1821
11,889	46,18,244		358 2 6	2,47,224	1,859	2,49,083	54,45,819	1822
6,061	47,76,388	Annual 1,69,343	418 15 4	2,76,026	1,066	2,77,092	59,15,643	1823
3,518	51,47,898		385 2 3	2,35,227	1,060	2,36,296	52,99,059	1824
19,087	48,94,560	Annual Increase 1,036	352 13 11	2,96,031	1,890	2,97,921	55,24,236	1825
9,117	45,40,634		391 11 1	3,64,119	10,380	3,74,499	48,17,680	1826
—	51,51,598		410 11 11	3,38,973	36,036	3,75,009		1827
10,538	44,81,142	Average p' An. 47,66,982	415 3 1	2,84,664	87,974	3,72,638		1828
			379 1 3	2,77,700	58,838	3,36,538		

## 1008 FOURTH APPENDIX TO THE THIRD REPORT OF THE

ADMINISTRATION  
OF MONOPOLIES.

Salt.

13. We do not mean in this place to draw attention to the facts established by this Statement; we have introduced it mainly for correction of the view taken by your Honourable Court, as to the state of the supply for consumption, arguing from the number of maunds upon which the annual account of profit was made up.

14. It is time, however, to place before your Honourable Court the correspondence we have alluded to above, as having taken place with the Board of Customs, Salt and Opium, on the subject of the future management of this branch of revenue.

15. In submitting, for our orders, their report on the arrangements to be made for supplying Salt, and for conducting the sales of the year 1829,\* the Board renewed the discussion commenced in the report of the preceding year, to which we have above referred.

16. The questions agitated by the Board on this occasion, and submitted for our determination, were the following:

First. The extent of supply required for the year's consumption of Bengal and Behar, and the quantity to be provided with reference to the wants of the population on one hand, and to the necessity, on the other, of maintaining the revenue:

Secondly. Whether both objects could best be accomplished under the plan of annual allotment for sale at prices regulated by open competition, Government fixing the quantity to be exposed to sale, or by Government fixing a price and opening the golahs to the public to take as much off at that price as the wants of the population might require:

Thirdly. Supposing the plan of fixed annual sales to be adhered to, how many should be made in the year, and at what periods:

Fourthly. An alteration was proposed in the form of the order to be delivered to a purchaser, on payment for his lot, whereby the order would become a negotiable security in law, which it was not before; and a condition was proposed to be added, that objections to the quality of the Salt should not be received after a year:

Fifthly. The Board submitted the necessity of limiting and restricting the supply of the coming year, which, through the productiveness of the past season, threatened to be excessive.

17. Our reply discussed each of these points separately.† We admitted the truth of the Board's remark, that the sales were not so good a criterion of the quantity required by the regulation, as the aggregate quantity cleared from the golahs and carried into the interior. Upon an average of twenty years, this last criterion showed a consumption of about 45½ lacs of maunds per annum; while the quantity sold averaged nearly a lac in excess of the clearances. Building on this fact, joined to an estimate of the population, and of the consumption per head for the tract within which Salt of the Calcutta sales is consumed, the Board of Customs, Salt and Opium, assumed that after the large clearance made in 1827-28, consequent upon the payment of a premium on exportation, with other measures taken in the course of the year, having a tendency to force the clearances, a  
larger

\* Separate Consultations, November 26, 1828. No. 4 to 6.

† Separate Consultations, November 21, 1828. No. 7.

larger quantity than 45 lacs of maunds could not be required for purposes of human consumption, and that if more were offered in the year, a glut would be the consequence, attended with a fall of price most injurious to the revenue.

Salt.

18. However unwilling to have recourse to measures directed to a diminution of the supply of this necessary of life for the purpose of upholding the revenue, we were compelled to admit that the reasoning and facts offered by the Board afforded grounds to apprehend that an extension of the supply beyond the quantity stated would be hazardous to the revenue. In the present state, therefore, of the public finances, dependent as the Government was on the productiveness of this branch of its resources, we conceived it would be imprudent to adopt any basis of calculation for the measures of the coming year that might not offer security in this respect.

19. We approved, therefore, the recommendation of the Board that 45 lacs should be assumed as the probable want of consumption in the year, conceiving ground to have been shown for concluding that if the plan of prompt clearance after public sale, and no cancelling of purchases were acted upon, it would not be safe to throw a larger quantity into the market.

20. Upon the assumption that 45 lacs was all that could be taken off, the question that next arose was, whether it would be more beneficial to allow this to find its way into the interior by fixing a price, on payment of which any dealer should be entitled at any time to receive Salt in any quantity, or to sell the quantity so assumed to be sufficient, as heretofore. Doubtless, as observed by the Board, the season was favourable for trying the experiment of a fixed price, for the quantity in store was so large as to preclude the possibility of the whole being bought up for the purpose of establishing a sub-monopoly. Nevertheless, we were of opinion that the departure from the established course, as it must operate to derange in some degree the existing methods of supplying the interior, would not be free from risk, and there was reason to believe that under the knowledge of the necessity of clearing Salt actually purchased, there would be a stimulus for carrying the article into the interior, which not being felt under the assurance of always being able to obtain it when wanted for a speculation, would operate to make the plan of fixed sales more favourable for the consumer than that of fixed prices; besides that the former was in many respects more favourable to the revenue. On the whole, therefore, although we should be very desirous of giving to the plan of a fixed price a fair trial if the circumstances of Government would allow of the experiment, we resolved that at the period we speak of, and we think the same of the present time, it would have been injudicious to make any deviation from the usual mode of conducting the business of the departments. The quantity of Salt therefore to be offered for sale we restricted to 45 lacs, and the Board were directed to advertise and bring it to Sale as heretofore.

21. The Board recommended, with a view to give certainty to the speculations of purchasers, that only six sales should be made in the year, but we were not quite satisfied with the grounds of this recommendation. The difficulties experienced in the course of the year then passing were not so much ascribable to the number of sales as to their being equal, and not arranged so as to suit the most favourable periods of communication between the interior and the golahs, where the Salt sold was in store Under a more judicious



**Salt.**

judicious allotment for sale, varying according to the average clearances of past years from the golahs of the different tracts of country, we were inclined to think the plan of monthly sales the most beneficial, as well to the public as to Government. The board were therefore desired to alter the advertisement in this respect, and both to apportion the quantities and fix the places on the principle above explained.

22. The explanation of the Board as to the disadvantage of leaving the negotiability of the Salt orders in doubt, satisfied us of the propriety of the proposed change on that head. The advantage drawn in the prosecution of those concerned in the late frauds, from the form heretofore in use not being assignable in terms, afforded no reason for continuing it; for, as observed by the Board, those committing frauds hereafter, being aware of the circumstance, would guard against the consequence.

23. With respect to the condition proposed to be inserted, that lots should not be rejected on the pretence of inferior quality, unless the objection were made within a year, there could be no reason for not publishing the condition; but unless each lot was separately stored in the golahs, which was of course out of the question, there would, we thought, be difficulty in its application. The better way of meeting this difficulty appeared to be, to add a proviso that the objection should not be listened to after a year, "provided that merchantable Salt of any kind were tendered." In the existing abundance of the article, no difficulty could be anticipated in fulfilling such a condition, while it would prevent the cancelling of a sale, and thus withholding the article from the consumers; the point, however, was left to be arranged according to the Board's discretion.

24. On the fifth and last point we found some difficulty in coming to a distinct conclusion. It appeared evident that if a manufacture at the agencies and in Cuttack, at all approaching that of the past season, could be reckoned upon for a constancy, the supply from these sources only would equal if not exceed the demand for consumption, and the necessity of any importation from the coast, or from other quarters, would altogether cease. This trade, however, had nourished and given encouragement to a most useful class of speculators, natives of the country and others, who, bringing up Salt, carry back rice and other cheap produce of Bengal, to the manifest advantage of both provinces.

25. The measures proposed by the Board for restricting the manufacture as much as could conveniently be done at the most expensive aurungs of the several agencies, and for limiting the importation from Cuttack in the coming year, were entirely approved. Before, however, finally determining on the course to be adopted in respect to the imported Salt, we deemed it indispensable to consult the Madras Government, in order that it might be ascertained, by reference to the local officers and other well-informed sources, what was the lowest limit that could be fixed for the importation of Coast Salt, without inflicting serious injury on the classes of traders engaged in the transport, who, having been encouraged by the practice of successive years to hope for a regular demand for their shipping through the supply of the article to this Presidency, were entitled to indulgent consideration. Upon this point, therefore, we stated that the final determination of Government would hereafter be communicated to the Board. We shall presently recur to the subject.

26. In conformity with these principles, we approved the advertisement for the sales of the year, with reservation to the two points referred to the Board for reconsideration.

27. The Madras Government, to whom we immediately made a reference with a view to learn their sentiments as to the limit that might expediently be put on the importation of Salt from the coast, replied in a Letter from their Secretary, dated 9th June last, recorded as per margin,\* giving cover to a Report from the Board of Revenue at that Presidency on the subject. After strongly representing the injury all the classes engaged, either in the manufacture or transport of the article, must suffer by a suspension of the trade, the Governor in Council submitted that if a limitation of the import in Bengal were indispensable, the minimum quantity should not be fixed lower than eight and a half lacs of Bengal maunds. We forwarded this Letter and its enclosures to the Board of Customs, Salt and Opium, desiring to learn their sentiments on the proposition of the Madras Government.

28. In the Letters from the Board, dated 9th July and 15th of August last, will be found their further sentiments on the several questions adverted to above.† In these Letters, the state and prospects of the Salt revenue were again fully entered into, and the points in regard to which the information before submitted was defective, were investigated and set before us, with a body of evidence to which we felt it to be very difficult to refuse credence.

29. The points argued in the first cited Letter were the following :—

First. That the tract of country supplied with Salt from the Calcutta sales having been the same uniformly from the date of the establishment of the monopoly to the present day, had been always supplied with Salt adequate to the wants of the population; and that the increased supply shown by the annual returns of golah clearances had been commensurate with any increase that could be assumed for that of the population in the period.

Second. That the price at which the Salt reaches the consumer under the present system is not burthensome to the lower orders, and does not operate to stint their consumption, which the Board argued is fully equal to their wants, and has always been so; moreover, that the price of the present day, though higher than at the early periods of the monopoly, and yielding a proportionately higher revenue, has not increased in any thing like the same ratio as that of grain and labour; and the augmented price must not therefore be regarded as pressing on the people with severity, since they now obtain their Salt at a smaller proportionate sacrifice of income than when it was nominally lower. As connected with this branch of the subject, fresh facts will be perceived to be adduced, and corroborating statements furnished in proof that the consumption was before correctly estimated by the Board at six seers per annum for each individual of the population.

Third. That the efforts of the Government to increase the supply to the consumer by augmenting the sales, and endeavouring to force an early clearance of the quantity sold, had had the effect of anticipating the revenue, and absorbing capital without sensibly increasing consumption. The arrear of sold but uncleared Salt having gradually accumulated nearly in proportion to the increased quantity sold in excess of the assumed consumption demand:

Fourthly.

\* Separate Consultations, Aug. 25, 1829. No. 6 to 8.

† Ditto, Aug. 25, 1829. No. 9 to 22.

**Salt.**

Fourthly. That the existence of this arrear afforded conclusive evidence that the consumption demand was every where supplied at present, and Salt provided for all purposes it could be applied to, while subject to the present rate of tax; because in the contrary case it must be supposed that the merchants found their profit in leaving the capital they had advanced for the purchase locked up without return, while a market was available to them :

Fifthly. It was argued, from the above principles, that the existing Salt revenue was not capable of increase, by any extension of the supply to the population now furnished from the Calcutta sales ; indeed, that to maintain the existing revenue, it would be necessary to watch the *clearances* in future, and adapt the sales to the condition of the arrear of purchased but uncleared Salt which might have accumulated, diminishing rather than increasing the quantity exposed to sale, until the present arrear should be considerably reduced.

Sixthly. The Board closed the Letter in question by a proposition which seemed to follow from the above reasoning ; *viz.* that if it were desired to increase the existing revenue derived from Salt, it must be done by extending the same rate of tax to other tracts of country beyond those now furnished through the Calcutta sales ; and it was pointed out that this might be done in respect to the Benares Province, either by pushing westward the chokees established on the Behar frontier, and so excluding the western Salts altogether from Benares, or by levying at Allahabad a transit duty nearly commensurate with that realized through the sales in Bengal and Behar.

30. In the Board's Letter dated 15th August last, they applied the principles above set forth, and those maintained in their previous Letter of the 8th November 1828, to the existing condition of the manufacture and store of the article, and adverted particularly to the proportions of the year's supply of Salt to be obtained from the coast.

31. They argued, first, that the reports of illicit dealings in Salt were much exaggerated, the proof of which was, that an increasing quantity of Ruwana Salt had latterly been disposed of for consumption in the tract nearest to the site of manufacture, *viz.* between the golahs and the outer or most distant chokees, and that Salt could find no market at all in the tract in question if the article were supplied illicitly at the price of manufacture as asserted, consequently that an extension of the sales, in order to provide cheaper Salt to displace the contraband within the protected limits, was uncalled-for, and would injure the revenue.

Secondly. Assuming 46 lacs of maunds, or thereabouts, to be the supply required for consumption in the tract supplied from the sales, and comparing this with the manufacture of late years, the Board found the Bengal agencies to have been brought to yield nearly 40 lacs of maunds of punga Salt, besides the produce of Cuttack, whence in the past year 8,87,000 maunds were imported at Sulkea, so that it was evident that punga or boiled Salt could be produced in sufficient quantity to furnish the entire sales if so deemed advisable. Moreover, from a statement furnished of the cost of production and profit at each agency, it was shown that, compared with coast Salt, that of Bullooah and Chittagong only was less productive in a revenue point of view, and that the unfavourable result at these agencies

agencies was mainly owing to the introduction of a calamitous season into the period of average ; that for revenue purposes, therefore, the production of punga or agency Salt was more advantageous than importation, and that an increase of manufacture at Hidgellee, and the most productive agencies, would at any rate be preferable to a resort to the coast.

Salt.

Thirdly. The Board, however, considered a certain quantity of solar evaporation or coast Salt to be required for the wants of the population, and they assumed that the annual sales should include not less than six lacs of maunds of Salt of that description. The manufacture of punga Salt was therefore argued to be excessive if carried much beyond forty lacs for both the Bengal and Cuttack agencies.

Fourthly. It is hence concluded, that the manufacture of punga or boiled Salt must be discouraged and reduced throughout the agencies until brought to yield about 35 lacs of maunds in Bengal, and five in Cuttack, which, with six lacks of imported Coast Salt, is the limit of quantity required for annual sale.

Fifthly. There appeared to have resulted from past over-production and import, a total store of 32 lacs of maunds not included in the sales, exceeding by 22 lacs the store required to meet defects of season and other contingencies ; consequently, independently of the measures required to be taken to make production keep pace with the probable requisitions for sale annually, some special measures seemed to be indispensable to get this excess of store taken off for consumption.

Sixthly. The Board conceived that this could only be done by reducing manufacture in the coming season to a point very considerably below that assumed for ordinary supply, and whereas 35 lacs was the quantity so assumed for the Bengal agencies, the tacedad, or contracts, must be reduced to 25 lacs of maunds for the ensuing two seasons, to enable the sales to take off in both the present excess of 22 lacs in store.

Seventhly. The existing store of coast Salt not being estimated at more than two lacs of maunds, the Board recommended an import of six lacs to be authorized from Madras for the ensuing, and the same for subsequent years.

Eighthly. Authority was solicited for ordering a rateable diminution of the tacedads, or engagements, to be entered into with Molunghees in September of the year, to a scale making for the Bengal agencies, a total supply of only 25 lacs, and from Cuttack five lacs.

Ninthly. The Board promised a revision of the state of things in every auring at each agency, preparatory to an adjustment of reduction on a permanent footing hereafter, on the principle of discontinuing manufacture where the cost of production was highest, and maintaining it where the profit yielded was the largest ; and they professed the intention to make it their study to provide hereafter, that the quantity of Salt available each year, through manufacture and import, should always suffice for the sales, and the quantity sold for consumption without producing an accumulation of Government store unsold on the one hand, or of uncleared lots on the other, both being considered evils pregnant with great inconvenience, and some loss.

# 1014 FOURTH APPENDIX TO THE THIRD REPORT OF THE

32. The recapitulation of these heads will show your Honourable Court the wide fields of argument and illustration opened by the two Letters of the Board above referred to; we were not prepared to decide upon the expediency of adopting all the reasoning of the Board as the basis of future measures for the conduct of the Department. But on consideration of the statements and information furnished by the Board, and of the sentiments which they had expressed, we resolved to dispose of the specific propositions submitted by instructions to the following effect :—

First. With respect to the suggestion for subjecting the Province of Benares to a tax on Salt equal to that levied by the present system in Bengal and Behar, we referred the point to the Advocate General, in order to ascertain how far the Salt duty of the Western Provinces could be considered to come within the provisions of Section 25 of the Act 53 of his late Majesty. The determination of Government as to the course to be adopted on this proposition was therefore necessarily suspended until receipt of Mr. Pearson's reply to this reference, to which we shall presently revert.

Secondly. With respect to the permanent reduction of the manufacture in Bengal and Cuttack to a total quantity of 40 lacs (35 for the former and five for the latter), we apprehended that so long as there should be reason to believe that the consumption demand at the existing prices would not much exceed 46 lacs, it would be necessary to keep this limit in view in the management of the concerns of the department; but no immediate resolution of Government on the subject was required; indeed the Board promised a further communication in respect to the application of this principle, and the final determination of Government might, we conceived, well wait the result of the further investigation to be instituted.

Thirdly. The importation from the coast was fixed by the Board at about six lacs per annum permanently, commencing from the ensuing year; we approved this suggestion, and made the requisite communication to the effect to the Government of Fort St. George. We entirely concurred with the authorities of that Presidency in attaching importance to the encouragement of the coasting trade, supported by the demand for this kind of Salt existing in Bengal, and were sensible that the fixation of the quantity of Salt to be annually imported, must have the most beneficial effect to all parties concerned.

Fourthly. With respect to the reduction of the Bengal agency taeedads to a total of 25 lacs for the next two years, which was deemed necessary by the Board to enable the sales to take off, in the course of this period, 20 lacs of the existing store in excess of 10 lacs. We looked upon this proposition as a very strong measure, seeing that the manufacture of the Bengal agencies had heretofore stood at nearly 40 lacs. Nevertheless, in the reported state of the *store* unexposed to sale, which appeared to stand as high as 32 lacs of maunds, we did not see any other course that could be pursued to relieve the golahs, and adapt the production to the wants of the country. The Board were accordingly authorized to instruct the Salt agents to diminish their taeedads in the proportion suggested. Should difficulty, however, be experienced in carrying the measure through, or should a less injurious

. mode

mode of effecting the object proposed occur while the reduction might be in progress, we desired the Board to submit another reference on the subject. It would be right, we stated, to put the several agents in full possession of the above views, and to let them see the nature of the difficulties experienced or apprehended from the existence of the present excess of store, in order that their zealous co-operation might be secured in effecting the reduction, and that the Board might have the advantage of any suggestions which their acquaintance with the details of the department might enable them to offer.

33. The above were the only points specially submitted for our orders. Although we avoided entering on the general views and principles advocated by the Board, we nevertheless stated our concurrence in opinion with the Board, that the determination of the quantity of Salt to be sold in the course of the ensuing year should not be hastened; and we approved the principle by which the Board declared their intention to regulate the quantity to be advertised for sale, *viz.* by reference to the state of the clearances from the golahs of lots sold and paid for. It was, we thought, for obvious reasons, advisable that the information on this point, which was to guide the Board's recommendation, should extend to as late a date as could conveniently be contrived (for an anticipation of the determination as to the extent of next year's sales would encourage speculations upon increased price), from withholding the article to the injury of the interests as well of Government as of the consumers.

34. We further informed the Board that an early opportunity would be taken to submit to your Honourable Court the correspondence which had recently occurred in respect to the condition and prospects of the Salt revenue; for the importance of the item to the finance of the country required obviously that every means should be taken to clear the principles on which it was conducted from the possibility of misconception.

35. Some subsequent correspondence bearing on the general questions discussed, and considered on this occasion, is referred to in the margin;\* and we enclose copies of such of the papers as have not been entered on the proceedings already forwarded to your Honourable Court.

36. On our proceedings noted in the margin,† your Honourable Court will find the reply of the Advocate-General to the reference we made to him, as to the construction to be put on sec. 25, cap. 155 of the Act 53d Geo. 3, in its application to the duties levied by this Government on the Western Salts. Our object was to learn whether it would be necessary that any enactment we might desire to pass for altering the rates of these duties, should be submitted for the sanction of your Honourable Court, and the approbation of the Board of Commissioners for the Affairs of India, before it could be made into a law.

37. The reply of Mr. Pearson refers to a previous opinion on the same point, recorded as per margin,‡ and was clear upon the point. Construing the 25th section of the Act, cited in connection with the preceding matter, and particularly as containing the subject

of

\* Separate Consultations, Jan. 23, 1829, No. 1 to 3; Feb. 20, No. 11; April 9, No. 6 to 10; June 9, No. 10 and 11; July 7, No. 5 and 6; Dec. 15.

† Ditto, April 14, 1829, No. 2.

‡ Ditto, Sept. 8, 1829, No. 20.

Salt.

of the 24th section, he looked upon the provision as intended to protect the external trade of India from any interference, by the levy of duties on the part of the local Government, at the ports and places to which traders from Europe might resort, and therefore as not applicable to the town duties levied in the interior, or to duties in the nature of the consumption duty on Salt, in the Western Provinces. Mr. Pearson added, that the places which were included in the Regulations to which we had referred him, were in the interior of the Mofussil; and he thought therefore the Government was empowered to modify the rules, and alter the rates of duty upon the several descriptions of Salt which those Regulations mentioned; and that the forms laid down in sec. 25 of the Act were not meant to apply to the case. Mr. Pearson, however, stated the point not to be altogether free from doubt and difficulty, inasmuch as the expressions of the Act were very general. The correspondence connected with this subject will be found recorded as per margin.\*

38. In consequence of this opinion from our law advisers, we ordered the Board of Customs to consider again, as open questions,

First, The measures recommended by the Collector of Customs at Agra, in the year 1827, for equalizing the rates of duty on the Western Salt, which measures this Government, at the time, thought beyond its powers with reference to the Act cited above; and,

Secondly, The propositions of the Board above referred to for levying an enhanced duty on the Western Salt consumed on the Benares Province. We desired the Board to prepare and submit the draft of a Regulation, providing for both objects; considering that in the present condition of the public finances, the prospects of obtaining a considerable increase of revenue, through the adoption of one or both of the above propositions, was well deserving of attention.

39. On our proceedings of the 13th ultimo is recorded the Board's reply, submitting a draft of enactment providing for both objects.† Along with it the Board forwarded a note obtained from Mr. H. Mackenzie, of the result of his inquiries on the subject of the Western Salts, made while in attendance on the Earl Amherst, in the year 1826-27. Copies of all these papers are appended as separate numbers in the packet.

40. We ordered our Secretary to revise the draft, and prepare it for publication. His note on the subject is added.

41. We resolved to adopt the Regulation as altered by our Secretary; and it was accordingly transferred to the Judicial Department, to be passed in due form. It stands No. 16 of the Code of this year, and we anticipate that it will essentially lead to a considerable increase of revenue. With reference, however, to the doubts that may arise as to the legal competency of this Government to pass an enactment of this description, we have deemed it necessary to lose no time in bringing the subject fully before your Honourable Court, in order that the opinion of the law officers of your Honourable Court, and of His Majesty's Government in England, may be taken thereon. Moreover, to meet the possible, though we hope improbable case of our Advocate-General's construction

\* Separate Consultations, Nov. 13, 1828, No. 20 and 21; April 14, 1829, No. 9 and 3; July 23, No. 6; Sept. 8, No. 20 and 21.  
† Ditto, Nov. 13, 1829, No. 1 to 4.

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**ADMINISTRATION  
OF MONOPOLIES.**

**Salt.**

construction of the Act not being confirmed, we annex a separate copy of the Regulations, drawn out in a form to receive your sanction, and the approbation of the Board of Commissioners for the Affairs of India, in the event of its being deemed necessary to re-enact the law in that form, and of your approving the measure.

We have the honour to be, &c. &c.

(Signed) **W. C. BENTINCK.**  
**COMBERMERE.**  
**W. B. BAYLEY.**  
**C. T. METCALFE.**

Fort William, 8th December 1829.

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**No. 27.**

**EXTRACT** Letter, in the Separate Department, from the Governor-General in Council in Bengal to the Court of Directors ; dated 1st October 1830.

137. On the proceedings of the annexed date is recorded a Letter from the Board of Customs, Salt and Opium, recommending to our consideration a reduced scale of 42,00,000 maunds of Salt for the ensuing year, and submitting the grounds on which the Board adopted the opinion, that while the reduced scale would tend to clear from the Company's golahs a quantity of sold salt, but remaining on hand, and which it was desirable to throw into the market, no interference with the public comfort could be reasonably apprehended, inasmuch as including the quantity proposed to be sold, 53,00,000 of maunds would be available for the year's consumption, whereas the total clearance of any past year, even under the operation of a premium granted to encourage the removal of Salt from the Government storehouses, had never approached that quantity.

138. Without entering into any discussion on the general principles which should regulate the administration of the Salt monopoly, and which question indeed it would be useless to agitate further now, we conceived that the views of the Board were, with reference to the present state of the Salt Department, and to other circumstances connected with finance and the money market of the Presidency, prudent and judicious. The Board was therefore authorized to limit the quantity of Salt to be sold at the public sales of the year under report to 42 lacs of maunds, nor did we conceive it desirable to embarrass the transactions of the market by directing the adoption of either of the suggestions conveyed, though not recommended, in the 15th paragraph of the Board's address under notice, in the event of our deeming this supply likely to prove inadequate.

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**EXTRACT, Bengal Salt and Opium Consultations, 16th February 1830.**

**LETTER** from the Board of Customs, Salt and Opium, to the Right Honourable Lord William Cavendish Bentinck, G. C. B., Governor-General in Council.

**MY LORD:**

**21 January 1830.**

The period has arrived in which it is necessary to determine the quantity of Salt to be brought to sale in the ensuing year.

**2. The**



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Salt.

2. The accompanying statements furnished to us by the Accountant, exhibit the monthly clearance of the year now drawing to a close, and the state of the golahs on the 31st ultimo, compared with that of the same date of the preceding year.

3. Your Lordship in Council will perceive that the quantity of Salt taken from the golahs and carried into the interior, between the 1st January and the end of December last, has been rather more than 45 lacs of maunds, while in the same months of the preceding year, the clearances exceeded 46 lacs. The uncleared lots again, which at the end of 1828 amounted to maunds 13,62,124, were on the 31st ultimo maunds 13,98,724. The limitation in the present year of the sale quantity of 45 lacs of maunds, which in 1828 was 46 lacs, has prevented any very considerable extension of the balance of Salt in the Government golahs; one lac of maunds, however, has been less cleared in the year, while for the last eight months, or from the beginning of the official year, a still greater abatement is apparent; the clearances having been only maunds 32,72,223, when in 1828 they amounted to maunds 34,20,391.

4. There can be no doubt that this growing slackness in the merchants to remove their Salt has been owing to the excessive supplies of the article that have been sent into the interior of late years, and particularly to the large clearance effected in 1827,\* when a premium was granted, and other measures taken, having a tendency to force the exportation.

5. Our inquiries from the Salt merchants and others, ascribe the fact to the same cause; and the Reports which we recently submitted from the Commissioners of Revenue for the 14th and 20th Divisions bear out the general declaration, that the markets of the interior are still and have for some time past been overstocked.

6. This state of things precludes us from recommending a large sale in the coming year. There are, however, some other circumstances to be considered.

7. It seems to us of great importance to get rid of a portion of the still very heavy balances of uncleared Salt in our golahs.†

8. This balance, as before stated, was on the 31st ultimo, nearly 14 lacs of maunds. We have reason to expect that the clearances of the present month and of February will keep pace with the quantity of Salt sold and to be sold in that time. Our next year's operations, therefore, have to be considered with reference to the 14 lacs of maunds that are uncleared, and which, it is to be observed, are now in the market, available for the consumption of the population, with reservation only of such proportion as may be requisite to carry on the concern. We find from the statement above referred to in the margin, that this need not be assumed at more than three lacs of maunds; so that the difference of 11 lacs have to be added to the quantity that may be exposed to sale.

9. Such being the case, we are disposed to recommend that no more than 42 lacs of  
maunds

\* Vide Statement annexed to Para. 6 of Board's Address to Government, dated 8th November 1828. The years are there calculated from the 1st February to the 31st January; what is therefore denominated 1827-28 may be more properly called 1827, as it only includes one month of the following year.

† Vide Statement in the Board's Letter of the 9th July last, which shows that of late years the quantity of salt in the golahs has more than doubled what it used to be.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1019

ADMINISTRATION  
OF MONOPOLIES.

Salt..

maunds be sold in the ensuing year, which would still give a total available supply of 53 lacs of maunds to the community.

10. This supply we hope to have proved is more than fully equal to the year's consumption, while it exceeds the total clearance of any year, even when a premium was granted to encourage exportation.\* The limitation of quantity, moreover, instead of producing any diminution of revenue, will, we are persuaded, tend to a present increase; while the measure seems to us necessary, in order to bring back the operations of the Department to that wholesome condition, from which, in the desire to increase the supply to the consumer by extended public sales, we cannot but think there has been some deviation.

11. A sale confined only to 42 lacs of maunds would further restore confidence to the Salt merchants which, in the present state of the money market, and under the impossibility of their continuing the present scale of advance to the Government, is of the first importance; so much so, indeed, that but for some relief of this sort, we should apprehend, from this cause alone, a very great reduction in our selling prices. The quantity of Salt that has been annually put up for sale of late, in spite of the accumulation of uncleared lots, has been one main cause of their embarrassments; and the influence of other events has also affected their interests. All the usual facilities under which lots have been heretofore cleared, *viz.* the accommodation of the public and private banks, and of the Native Shroffs, are now, we believe, granted at the most unfavourable rates, if not wholly withheld; and your Lordship in Council will be sensible of the vast disadvantage, in this respect, at which speculators would bid more, particularly with reference to the strict enforcement of the conditions of our sales, which has been more than once enjoined by the Government.

12. The

## \* Actual Clearance of Salt for the last Ten Years.

From 1st Feb. to 31st Jan.	{	In 1820	..	Mds.	46,22,279
		1821	..	..	46,38,392
		1822	..	..	46,03,881
		1823	..	..	46,50,605
		1824	..	..	51,25,292
		1825	..	..	44,83,749
		1826	..	..	46,50,597
From 1st Jan. to 31st Dec.	{	1827	..	..	49,42,912
		1828	..	..	46,18,178
		1829	..	..	45,52,442
					4,68,88,327

Average of Ten Years .. Mds. 46,88,832

Vide Statement above referred to.

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12. The annexed statement\* exhibits the gross and net sums which may be expected to be realized according to the quantity of Salt that Government may resolve upon bringing to sale. It will be seen that the estimated net profit, from assuming the quantity we recommend of 42 lacs of maunds, as compared with a sale similar to that of the present year, is ten lacs of rupees in excess, which probably will be a consideration with the Government.

13. One great motive, however, for recommending so small a sale is, as before stated, to reduce the balance of uncleared lots.† Government have stated that they would be willing, did their finances allow, to give the experiment of disposing of our Salt at fixed prices a fair trial, but to free ourselves from the greater part of the Salt that has been already sold, and is in our golahs, is obviously an essential preliminary to any change of system. The balance at the end of two years will, under such an arrangement as we propose, be reduced to what is proper, when the effect would be, that our golahs will be filled with Salt the property of Government instead of that of individuals, and it would then at any time be free to Government, if they see fit to open the golahs at a fixed price, without injuring the interests of any person, and with the assurance that from the time of their being opened, issues of the Salt and in-comings of the Government revenue would commence immediately.

14. Government will be able to determine, by the result of the present year, how far it may or may not be expedient to continue it for another ; but under any circumstances we shall be better able than we are now to hold, if it is deemed right, a large sale, without the fear of its occasioning distress to the money market, or to the dealers in this particular article.

15. The only objection to so small a sale as that of 42 lacs of maunds is a possibility that the purchasers or merchants might thereby get a command of the market, and for the sake of extravagantly high prices still hold their Salt back from the interior. This might be obviated by a clause in the advertisement, providing for the sale of an extra quantity of Salt, to any extent that may be thought right, in the event of the clearances not being found at specific periods of the year to have equalled such as are usual, or the interests of the

* Maunds.	Estimated Selling Price, per 100 Maunds.	Amount Estimated Proceeds.	Deduct Estimated Costs and Charges.	Estimated Net Profit.
	Sa. Rs.	Sa. Rs.	Sa. Rs.	Sa. Rs.
46,00,000	340	1,56,40,000	53,82,000	1,02,58,000
45,00,000	350	1,57,50,000	52,65,000	1,04,85,000
44,00,000	360	1,58,40,000	51,48,000	1,06,92,000
43,00,000	380	1,63,40,000	50,31,000	1,13,09,000
42,00,000	390	1,63,80,000	49,14,000	1,14,66,000
41,00,000	400	1,64,00,000	47,97,000	1,16,03,000
40,00,000	410	1,64,00,000	46,80,000	1,17,20,000

† Letter from Mr. Secretary Prinsep, 21st November 1828.

the consumers might be secured by limiting the selling price at our sales to that estimated, and by bringing forward an additional quantity of Salt, if the average sale price exceeds that amount, but such a condition would perhaps render things uncertain, and be so far injurious, while we should hardly on any other account think it necessary.

16. We think it right to add on this occasion, that we have succeeded in reducing the tydaad of the Bengal agencies to twenty-five lacs of maunds in the coming year, and that of Cuttack to five lacs of maunds. The statement in the margin,\* will show that a sale of 42 lacs of maunds will still leave our golahs burthened with a large quantity of superfluous Salt, but it will be so far satisfactory, that we shall be able to bring down the Government store to the wants of the market with less violence and distress to the manufacturing classes than might have been anticipated.

17. The supplies that will be required in the year from the coast have been already fixed by your Lordship in Council at six lacs of maunds.†

18. We conclude that it will not be necessary to make any alteration in the periods or number of our sales, or in their conditions, unless, indeed, your Lordship in Council should think the precaution necessary that is adverted to in the 15th paragraph. The accompanying advertisement has been drawn up in the same form as that of the current year.

19. We have thus endeavoured to place the subject in what we think the proper light before the Government. It strikes us that the measure we have recommended cannot fail of being highly advantageous, as well to the Government as to the Salt merchants, while the rate at which the article will be given out to the community is within the Government limit,‡ and cannot be regarded as burdensome; but we shall  
be

\* Quantity of SALT to be Manufactured in 1236.

Hidgellee .. ..	8,29,000
Tumlook .. ..	5,71,000
24 Pergunnahs .. ..	3,84,000
Jessore .. ..	2,98,000
Bulloah .. ..	2,78,000
Chittagong Pungah .. ..	1,40,000
Ditto Kurkutch.. ..	20,000

Maunds .. 25,20,000

PUNGAH SALT.

BENGAL AGENCY :

Balance of Salt expected to be  
on hand after February Sale } 22,14,066

CUTTACK, &c.

Balance ditto ditto .. .. 5,79,181

Carried forward .. 27,93,247

PUNGAH SALT—continued.

Balance brought forward ..	27,93,247
Ditto Forfeited Salt .. ..	1,70,000
	29,63,247
Ditto Madras, Permit and other } Foreign Salt.. ..	3,35,977
Total Balance ..	32,99,224

BENGAL TAIDAAD :

Of 1236 ..	25,20,000
Cuttack, &c. ..	5,00,000
	30,20,000
Madras Permit to be imported in 1830 .. ..	6,00,000
Maunds ..	69,19,224

† Letter from Government, 25th August last.

‡ At the estimated selling price of 390 per 100 maunds.

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Salt.

be most happy to give effect to any other view which your Lordship in Council may take of the matter.

We have the honour to be, &c.

Board of Customs, Salt and Opium,  
21 January 1830.

(Signed) G. CHESTER.  
H. SARGENT.

No. 238.

LETTER from J. A. Dorin, Esq., Accountant, to the Board of Customs, Salt and Opium.

Gentlemen :

16th January 1830.

AGREEABLY to the orders set forth in Mr. Secretary Parker's Letter, under date 10th June 1829, I have now the pleasure to wait on the Board with the Statement of the golah clearances for December last.

I have the honour to be, &c.

Fort William, Accountant's Office,  
16th January 1830.

(Signed) J. A. DORIN,  
Accountant.

STATEMENT, exhibiting the Clearance, &c. of SALT from the GOLAHs of the several Agencies for the Month of December 1829, compared with the Clearances for the Month of December 1828.

	1.	2.	3.	4.
	Quantity of sold Salt cleared in the Month of December 1829.	Quantity of sold Salt cleared in the Month of December 1828.	Total Quantity of Salt sold, cleared from the beginning of the Official Year till 31st December 1829.	Total Quantity of sold Salt, cleared from the beginning of the Official Year till 31st December 1828.
Hidgellee ..	1,18,715 0 0	99,850 0 0	6,42,484 30 0	5,68,944 30 0
Tumlook ..	97,500 0 0	53,460 17 0	5,21,341 11 10	5,80,625 27 0
24 Pergunnahs..	77,400 0 0	41,026 1 0	5,46,877 0 0	3,54,333 34 0
Jessore.. ..	47,639 0 0	35,415 0 0	3,04,148 0 0	2,51,080 0 0
Bullooah ..	53,000 0 0	37,000 0 0	2,03,162 0 0	2,30,500 0 0
Chittagong ..	21,000 0 0	12,000 0 0	1,15,000 0 0	1,02,000 0 0
	4,15,254 0 0	2,78,715 18 0	23,33,013 1 10	20,87,484 11 0
Sulkea Golahs..	95,750 0 0	1,11,257 0 0	9,39,210 29 0	13,32,907 0 0
TOTAL ..	5,11,004 0 0	3,90,008 18 0	32,72,223 30 10	34,20,391 11 0

(continued.)

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1023

ADMINISTRATION  
OF MONOPOLIES.

(continued.)	5.	6.	7.	8.	Salt.
	Quantity of Salt Sold, but remaining uncleared, up to 31st December 1829.	Quantity of Salt sold, but remaining uncleared, up to 31st December 1828.	Quantity of Salt remaining unsold up to 31st December 1829.	Quantity of Salt remaining unsold up to 31st December 1828.	
Hidgellee ..	3,80,941 10 0	3,85,518 10 0	10,50,027 24 12	6,40,254 35 12	
Tumlook ..	3,14,486 0 0	2,39,766 0 0	6,57,301 14 2	5,64,200 22 2	
24 Pergunnahs..	1,40,155 0 0	1,63,962 0 0	2,34,123 20 0	3,25,955 23 0	
Jeasore..	1,29,788 0 0	90,853 0 0	3,07,060 24 0	2,70,398 14 0	
Bullooah ..	1,33,361 0 0	1,24,012 0 0	2,98,248 2 11	1,69,428 3 15	
Chittagong ..	66,013 0 0	56,013 0 0	2,23,185 4 11	1,10,216 17 11	
Sulkea Golahs..	11,64,724 10 0	10,60,124 10 0	27,69,946 10 4	20,80,453 36 8	
	2,34,000 0 0	3,02,000 0 0	11,61,069 11 0	10,36,763 0 0	
TOTAL ..	13,98,724 10 0	13,62,124 10 0	39,31,015 21 4	31,17,216 36 8	

(Errors excepted.)

Fort William, Accountant's Office,  
16th January 1830.

(Signed) J. A. DORIN,  
Accountant.

No. 239.

LETTER from J. A Dorin, Esq., Accountant, to H. M. Parker, Esq., Secretary to the  
Board of Customs, Salt and Opium.

Sir :

18th January 1830.

I HAVE to request that you will be good enough to lay before the Board the accompanying " Statement, exhibiting the quantity of salt sold by public auction, and cleared from the different Golahs" in the years 1828 and 1829.

I have the honour to be, &c.

Fort William, Accountant's Office,  
18th January 1830.

(Signed) J. A. DORIN,  
Accountant.

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ADMINISTRATION  
OF MONOPOLIES.

Salt.

STATEMENT of the Quantity of SALT Cleared from the Agency and Sulkea Golahs, from 1st January to 31st December 1828, and from 1st January to 31st December 1829, with a Memorandum of the Total Quantity of Salt sold, but remaining uncleared, up to 31st December 1828 and 1829.

					Quantity of Salt sold by Public Auction in 1828.	Quantity of Salt sold by Public Auction in 1829.	Monthly Clearance of Salt in 1828.	Monthly Clearance of Salt in 1829.
					Maunds.	Maunds.	Maunds.	Maunds.
January	..	..	..	..	4,00,000	4,00,000	3,69,134	4,42,237
February	..	..	..	..	4,00,000	4,00,000	3,44,183	3,19,518
March	..	..	..	..	4,00,000	3,00,000	2,60,062	2,69,090
April ..	..	..	..	..	4,00,000	3,00,000	2,25,650	2,21,185
May ..	..	..	..	..	4,00,000	3,00,000	2,07,003	2,79,557
June	..	..	..	..	—	4,00,000	4,06,953	3,31,186
July ..	..	..	..	..	4,00,000	4,00,000	5,84,665	4,49,402
August	..	..	..	..	5,00,000	4,00,000	5,84,398	4,85,311
September	..	..	..	..	5,00,000	4,00,000	4,98,797	5,50,846
October	..	..	..	..	4,00,000	4,00,000	3,73,585	2,44,164
November	..	..	..	..	4,00,000	4,00,000	3,73,740	4,18,942
December	..	..	..	..	4,00,000	4,00,000	3,90,008	5,11,004
					46,00,000	45,00,000	46,18,178	45,22,442

## MEMORANDUM.

QUANTITY of SALT sold, but remaining uncleared up to 31st December 1828	..	13,62,124
Ditto .. .. ditto .. .. up to 31st December 1829	..	13,98,724

Maunds.

Fort William, Accountant's Office,  
18th January 1830.

(Errors excepted.)

(Signed) J. A. DORR,  
Accountant.

**SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1025**

**LETTER from H. M. Parker, Esq., Acting Secretary to the Government, to the Board of Customs, Salt and Opium.**

**ADMINISTRATION  
OF MONOPOLIES.  
Salt.**

Gentlemen :

16th February 1830.

I AM directed by the Governor General in Council to acknowledge the receipt of your Letter dated 21st ultimo, recommending to the consideration of Government a reduced sale of maunds 42,00,000 of Salt for the ensuing year, and submitting the grounds on which you have adopted the opinion, that while the reduced sale will tend to clear from the Honourable Company's golahs a quantity of sold Salt with which they are encumbered, and which it is desirable to throw into the market, no interference with the public comfort can be reasonably apprehended, inasmuch as that including the quantity proposed to be sold, 53,00,000 of maunds will be available for consumption; whereas the total clearance of any past years, even under the operation of a premium granted to encourage the removal of Salt from the Government store-houses, has never approached that quantity.

2. Without entering into any discussion on the general principles which should regulate the administration of the Salt monopoly, and which question, indeed, it would be useless to agitate further now, Government conceive that the views of your Board are, with reference to the present state of the Salt department, and to other circumstances connected with financial considerations, prudent and judicious; you are therefore authorized to limit the quantity of Salt to be sold at the public sales of the ensuing year to 42 lacs of maunds; nor does the Governor General in Council conceive it desirable to embarrass the transactions of the market by directing the adoption of either of the suggestions conveyed, though not recommended, in the 15th paragraph of your address.

Council Chamber,  
16th February 1830.

I have, &c.  
(Signed) H. M. PARKER,  
Acting Secretary to Government.

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TO THE

## FOURTH APPENDIX.

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# **FIFTH APPENDIX**

**TO THE**

## **THIRD REPORT**

**FROM THE**

**SELECT COMMITTEE OF THE HOUSE OF COMMONS,**

**AND**

## **MINUTES OF EVIDENCE**

**ON THE**

**AFFAIRS OF THE EAST-INDIA COMPANY.**

**17th FEBRUARY to 6th OCTOBER 1831.**





# LIST.

COPIES of all CORRESPONDENCE, with Documents annexed thereto, which passed between the Governor-General in Council and the Judges of the Supreme Court of Judicature, as well as between the Indian and Home Authorities, respecting the ESTABLISHMENT of LEGISLATIVE COUNCILS for BRITISH INDIA, a NEW SYSTEM of COURTS of JUSTICE, and the FORMATION of a CODE of LAWS, from the Year 1828 inclusive to the latest Period.

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# FIFTH APPENDIX.

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THE ESTABLISHMENT OF  
LEGISLATIVE COUNCILS,  
A NEW SYSTEM OF COURTS OF JUSTICE,  
AND A CODE OF LAWS,  
IN BRITISH INDIA.

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(Territorial Department, Revenue.)

LETTER from Holt Mackenzie, Esq., to P. Auber, Esq., &c. &c. &c.

SIR:

Fort William, 20th October 1829.

With reference to my letter of the 1st September last, I am directed by the Governor-General in Council to transmit to you, for the purpose of being laid before the Honourable the Court of Directors, copies of the several Papers specified in the annexed List, of which the subject will hereafter be again brought to the notice of the Court in a separate Despatch.

I have the honour to be, Sir,

Your most obedient servant,

(Signed)

HOLT MACKENZIE,  
Secretary to Government.

LEGISLATIVE  
COUNCILS,  
&c.

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No. 1.

LETTER from Lord W. C. Bentinck, Governor-General in Council, to the Honourable Sir Charles E. Grey, Knight, Sir John Franks, Knight, and Sir Edward Ryan, Knight, Judges of the Supreme Court of Judicature at Fort William.

Governor-General  
in Council  
to Judges of  
Supreme Court.

HONOURABLE SIRS:

Fort William, 14 July 1829.

In pursuance of the intention stated in the concluding paragraph of our Letter of the 13th instant, we have now the honour of communicating to you the views and sentiments

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which

LEGISLATIVE  
COUNCILS,  
&c.

Governor-General  
in Council  
to Judges of  
Supreme Court.

which we entertain in regard to the measures to be pursued for the adjustment, among others, of the important question discussed in the Despatch addressed by you to the Secretary to the Board of Commissioners for the Affairs of India.\*

2. Previously to the receipt of that Letter, the defective state of the Law relating to the jurisdiction of the King's Court, and to the powers of the Government and of the Tribunals established by its authority in the interior of the country, had for some time occupied our attention.

3. In regard to almost every provision of the British Parliament, whether for defining the legislative authority of the Governments of the several Presidencies, or for prescribing the course to be pursued by them in the executive administration, questions have arisen of a very embarrassing nature. The rules applicable to the Sudder Dewanny and Nizamut Adawlut, and to the subordinate Native Courts, which rest on parliamentary enactments, though few in number, have given rise to many doubts and difficulties. Those relating to the rights and obligations of individuals are not more free from obscurity.

4. On several important points the question of the jurisdiction of His Majesty's Courts appears to be involved in doubts, productive of alarm to our native subjects, of embarrassment to the local Governments, and discredit to our country. In some instances it seems to us, that those Courts have been compelled, by a construction of the law contrary to the probable intention of the Legislature, to extend their jurisdiction in a degree inconsistent with the public convenience; and we cannot but perceive that a delay which must attend a reference to England, for the purpose of removing such doubts, or of reconciling the obligations of the law to the exigencies of State expediency, might be attended with the most afflicting consequences. In cases, moreover, in which the co-operation of the King's Court is requisite to the validity of the laws and ordinances of the local Governments, there exist no means, short of an application to Parliament, of insuring consistency of proceeding at the several Presidencies, however essential to the public interest. The legislative powers vested in the several Governments, in their application to British-born subjects, and to persons of all nations and persuasions residing within the cities of Calcutta, Madras and Bombay (some of whom have no recognized law of marriage or inheritance), appear to fall in several respects short of what the exigency of the case demands; and the present system, under which rules and ordinances applicable to those cities are passed, seems to be open to many and serious objections.

5. The good fortune which this Presidency has enjoyed does not materially lessen our sense of the evil, since it is obvious that the mischief of an inapplicable law can never be cured by the wisdom and moderation of judges bound to obey it. We can only therefore derive from the circumstance the gratifying assurance, that in soliciting your aid and advice, our representation will be met with a cordial desire to concur in every measure that may appear calculated to promote the interests of our country.

6. While we are strongly impressed with the defectiveness of the existing law, as applicable to the state of things for which it was designed to provide, we see abundant reason to conclude, that the changes which have recently occurred, and those which may soon be anticipated, are likely to render its imperfections still more glaring.

7. The

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\* In the General Department, Consultation, 18th June 1827, No. 5.

## SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1055

LEGISLATIVE  
COUNCILS,  
&c.

Governor-General  
in Council  
to Judges of  
Supreme Court.

- 7. The new Insolvent Act must apparently give rise to many cases very inadequately provided for. Some parts of the law for the improved administration of criminal justice, appear to contemplate the existence of institutions not known to the country; and if increased facility be given to Europeans to settle in the interior, and to acquire landed property, a measure which we deem essential to the best interests of England and of India, it is clear that many and serious inconveniences must be experienced, unless they be liable, with the rest of the inhabitants, to the authority of the local Courts.

8. In deliberating on the means of correcting past omissions, and of providing for the exigencies of the future, we are forcibly struck with the apparently insurmountable obstacles that present themselves to the attempt of accomplishing those objects by a parliamentary enactment for the several cases. To hope that all the points which will arise can be anticipated by any scheme of prospective legislation, would be visionary. To expect that the matters which have actually presented themselves can be provided for by Parliament, without giving occasion to many new and intricate questions, would be to overlook the result of all past experience. It will be equally at variance with all the conclusions which we should draw from general reasoning. Even in legislating relative to things most familiar, with all the advantages of full discussion by the parties interested, and all the information acquired by the daily business of life, it is seldom that the consequences of a law are fully anticipated.

9. With such impressions, we cannot resist the conclusion, that it is a matter of the most urgent expediency to have in this country an authority legally competent to legislate for all classes and all places, subject to the political authority of the Honourable East-India Company; and this persuasion, the facts and observations stated by you in the Despatch to which we have already referred, are calculated powerfully to confirm. Now, in the present circumstances of the country, there seem to be no elements for a Legislature, excepting the Government and His Majesty's Courts; and it seems to us that the concurrence of both is, for a variety of reasons, highly desirable. In other words, we should propose, that the Members of the Supreme Government and the Judges of the Supreme Court of Calcutta should be constituted a Legislative Council, with power to enact laws for the guidance of all Courts, whether established by the King or by the local Government, within the territories of the East-India Company, and for the regulation of the rights and obligations of all persons subject to their authority.

10. By these means we should hope that the defects of the law, as now existing, might be speedily and safely corrected, without imposing upon you any burthensome additional labour, or requiring from you any duty inconsistent with the most complete independence in your judicial capacity.

11. We should anticipate very great benefit from a change by which the judges of your Court would be constitutionally empowered and authorized to afford us the full benefit of your experience and legal knowledge, and by which they would, equally with the Members of the Government, have a voice in regard to the expediency of all proposed laws, instead of being confined, as now, to a decision on the question of their repugnance or otherwise to English law, after the Government has committed itself by their enactment.

12. The registry and publication of such laws in the Supreme Court, with the same

LEGISLATIVE  
COUNCILS,  
&c.

Governor-General  
in Council  
to Judges of  
Supreme Court.

right of appeal to the King in Council, might be made, as now, in the case of rules and regulations for the good order and civil government of the Presidency; the Judges of the Court having, however, as such, administrative functions only. Any argument against a proposed law (supposing parties to appear and oppose it) to be heard, if heard at all, before the Supreme Council, constituted as above, from which the appeal to His Majesty in Council should lie.

13. Coming to the above conclusion, as to the general measure to be adopted for remedying the defects of the existing system, it does not appear to be necessary for us to enter into any detailed explanation of the circumstances under which those defects have practically developed themselves, or of the specific rules and regulations by which we should propose to apply a remedy. It may not, however, be irrelevant to state, that we are informed that the persons whose case has been submitted by you to His Majesty's Government had, previously to their being put upon their trial in the Supreme Court, been tried by the Court of Circuit, three of whom were acquitted by the Judge of that Court for want of proof, and one was ordered to be discharged by the Nizamut Adawlut, on a reference from him, on a failure in jurisdiction, in consequence of the stolen property having been found in the prisoner's possession within the limits of the town of Calcutta. It may also be proper to take this opportunity of remarking, that the criminal law, as administered by the Nizamut Adawlut and the subordinate Courts in the interior of the country, retains but little of the Mahommedan Code, whether in respect to the laws of evidence, or to the punishments annexed to offences; and that we most anxiously desire to adopt all practicable improvements in the constitution and forms of those Courts, so as to obviate every reasonable objection against the extension of their jurisdiction to all cases which can be expediently subjected to that of your Court.

14. The immediate object, however, of the present Address is to solicit a communication of your opinion on the general question. And should your sentiments concur with those we entertain, as to the expediency and necessity of enlarging the legislative powers of Government, we shall be much obliged to you if you will further state the conclusions to which a consideration of the subject may lead you, in regard to the mode in which such powers could best be exercised, and the limitations to which the exercise of them should be subjected.

15. We have directed our Judicial Secretary to furnish you with all the Papers which we have had immediately under consideration on the present occasion, and with any others to which you may desire to refer.

We have, &c.

(Signed)

W. C. BENTINCK.  
W. B. BAYLEY.  
C. T. METCALFE.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1057

{Miscellaneous.)

No. 2.

LEGISLATIVE  
COUNCILS,  
&c.

LETTER from Board of Revenue, Lower Provinces, to Lord W. C. Bentinck, Governor-General in Council, &c. &c. &c., Fort William.—(With two Enclosures.)

Board of Revenue  
to Governor-Gen.  
in Council.

Board of Revenue, Lower Provinces,  
24th January 1829.

MY LORD :

We have the honour to submit, for the orders of your Lordship in Council, the accompanying Letter, addressed to our Secretary by the Receiver of the Supreme Court, with its Enclosure, described to be an authenticated copy of a Decree of the Supreme Court in the suit mentioned in the margin.\*

2. The Letter from the Receiver of the Supreme Court contains an application that instructions may be issued by the Board to the Local Collectors, for registering on their respective Records, as joint proprietors of the several lands adjudged to them, the names of the parties to whom those lands have been decreed.

3. We are not aware of any precedent for this application to us, and we are of opinion that decrees of this description by the Supreme Court should be carried into effect through the Mofussil Courts, to which the necessary application for the purpose should be made.

4. A mutation of names cannot, however, be legally entered in the Malgoozar Registers before possession has been obtained in the constituted manner; and we conclude, of course, that no decree of the Supreme Court can affect the liability of the entire state for arrears of public Revenue until a separation and allotment of Jumma shall have been made, on the application of the parties, in conformity with the provisions of the Regulation XIX., 1814; and if it shall be deemed expedient that orders be issued to the Collectors by this Board, we would propose to instruct those officers to enter the names of the parties as joint proprietors.

5. The orders of Government are more particularly solicited on the present occasion, inasmuch as we observe the Supreme Court has appointed one of its European officers to administer the collections and receive the rents of the six Annas share allotted to Woomeschunder Paul Chowdry, and the heirs and representatives of Ruttenchunder Paul Chowdry, deceased, of the lands and premises detailed in the Decree; thereby superseding, as we conceive, the jurisdiction of the Court of Wards in regard to the infant defendant, Gunganarain Paul Chowdry, should the estate of the said minor become subject to the jurisdiction of that Court; but in regard to the circumstances of which estate our Records do not at present afford us the means of information; and involving likewise a possible collision of authority between the Revenue Officers and the said Receiver and Manager, in case the landed property should at a future period come under attachment by orders of the Courts of Justice, as provided for by Regulation V. of 1827.

6. Until we shall be favoured with the receipt of the orders of your Lordship in Council, we shall postpone any communication in reply to the application from the Receiver of the Supreme Court.

We have, &c.

(Signed)

J. PATTLE.  
W. BLUNT.

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\* Woomeschunder Paul Chowdry and another *versus* Premchunder Paul Chowdry, &c.



1058 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c.

Enclosure 1  
in Letter from  
Bengal Board of  
Revenue.

(Enclosure in No. 2.)

LETTER from E. Macnaghten, Esq., to G. A. Bushby, Esq., &c. &c. &c.

Receiver's Office, Court House, Calcutta,  
23 January 1829.

SIR :

I have the honour to transmit herewith an authenticated copy of a Decree of the Supreme Court of Judicature, passed on the 16th of September last, in the suit of Woomeschunder Paul Chowdry and another, against Premchunder Paul Chowdry, &c.; and to beg that you will lay the same before the Board, with my request that instructions may be issued to the Collectors of the districts of Nadia, Jessore, and the twenty-four Pergunnahs, for registering in their respective Records the names of Woomeschunder Paul Chowdry and Woolulmoner Dossee, the widow and representative of Ruttenchunder Paul Chowdry, as joint proprietors of the several lands adjudged to them by the said Decree, with a view to its provisions being duly carried into effect.

You will have the goodness to observe, that by the said Decree James Weir Hogg, Esq. is appointed the Receiver of the six Annas share allotted jointly to the said Woomeschunder Paul Chowdry, and the heirs and representatives of Ruttenchunder Paul Chowdry, deceased, and that the duties of Receiver have lately been transferred to me.

I have, &c.

(Signed)

E. MACNAGHTEN,  
Receiver, Supreme Court.

(Copy.)

In the SUPREME COURT of JUDICATURE at Fort William in Bengal.

In Equity.

The Honourable Sir Charles Edward Grey, Knight, Chief Justice ;

The Honourable Edward Ryan, Knight, Justice.

Enclosure 2.

Tuesday the 16th of September, in the ninth year of the reign of His Majesty King George the Fourth, and in the year of our Lord 1828. Between Woomeschunder Paul Chowdry and Ruttenchunder Paul Chowdry, by Sree Multy Dossee, his mother and next friend, Complainant; and Premchunder Paul Chowdry, Isserchunder Paul Chowdry, Juggulkishore Bundapadho, and Ramsoonder Goopto, Defendants; by Original Bill: and between Woomeschunder Paul Chowdry and Ruttenchunder Paul Chowdry, an infant of Sree Multy Dossee, his mother and next friend, Complainants; and Isserchunder Paul Chowdry, Juggulkishore Bundapadho and Ramsoonder Goopto, and Joynorain Paul Chowdry, and Gunganorain Paul Chowdry, sons, heirs, and legal personal representatives of Premchunder Paul Chowdry, deceased, Defendants; by Bill of Revivor: And between Woomeschunder Paul Chowdry and Ruttenchunder Paul Chowdry of Woomeschunder Paul Chowdry, his brother and next friend, Complainants; and Isserchunder Paul Chowdry, Joynorain Paul Chowdry, and Gunganorain Paul Chowdry,

Chowdry, Juggulkishore Bundapadho and Ramsoonder Goopto, Defendants; by Supplemental Bill: And between Woomeschunder Paul Chowdry, Complainant; and Isserchunder Paul Chowdry, Joynorain Paul Chowdry, Gungnorain Paul Chowdry, Sree Multy Dossee, Defendants; by further Supplemental Bill: And between Woojulmoney Dossee, Complainant; and Woomeschunder Paul Chowdry, Isserchunder Paul Chowdry, Joynorain Paul Chowdry, Gungnorain Paul Chowdry, and Sree Multy Dossee, Defendants; by Bill of Revivor.

This Court doth think fit to order, adjudge, and decree, and doth accordingly order and decree, that the partition and division of the several zemindaries, pergunnahs, dhees, villages, lands, messuages, houses, hereditaments and premises so made by the said returns and schedules to the said two several Commissions of partition issued respectively on the said 31st day of July 1824, and on the 7th day of June 1827, be firm and effectual for ever, and be carried into effect: And it is further ordered, adjudged and decreed, that the said Isserchunder Paul Chowdry, and the heirs and representatives of the said Premchunder Paul Chowdry, deceased, do and shall hold, and enjoy jointly, as members of a joint individual Hindoo family, and for their ten sixteenth parts or shares of the said lands and premises, the several lands and premises following; that is to say, No. 1, the Pergunnahs Allumpore, in the district of Nuddea, and province of Bengal, including Govindpore, comprising and consisting of sixty villages, and not sixty-four villages, as in the said Commission, issued on the 31st day of July 1821, are mentioned, and the lands and grounds appertaining and belonging thereto. No. 3, the Pergunnah Paujnoir, in the district of Nuddea, and province of Bengal, as by title-deeds, comprising and consisting of thirty-six villages, and not thirty-eight villages, as in the said Commission described, and the lands and grounds appertaining and belonging thereto. Of No. 4, the Dhee Unmendpore and others, in the Chucka Sreenugger, in the district of Nuddea, and province of Bengal, comprising and consisting of eighty-three, and not eighty-two villages, as in the said Commission mentioned; the fifty-eight villages following; that is to say, Nijsanpore, Ramsunkupore Rajahpore Chungrah in Tamf Tooroonepore Itchlampore Bhoirloh Lalook Rogoonathpore, Khur Rajahpore Tulcomie Mamoodpore Nig Bhunder Colloh Palloh Kor Kullah by Manoodpore, Konockpore Hoodugoraby Satasey Rostoomegore Dat Bhangha Chouzatcha Nij Champah, including Nobyekha Siemoolah Rammessore Pore Bangadunga, Nundou Kooly Nij Camdahpore Chattenah Nij Darupore Bolorampore, Hoodun Bolampore Bangalpore Nij Seroppore Russillohpore Gooroomary Dawooly, Nij Mothorgah Cheygoyroh Nij Chowgatcher Sibpore Hoodamampore Henguaiah Mahaschandrapore Cheerely Pooroonah Bolubpore Nuckhunpore Boltoh Jaotoh Dhurmopore Coondoleah Rotchulpore and Takver Pautchpollah Nij Baughlancy Soerjun Maudpore Maneckloll Mutterpore Chiltalah Bullubpore Rockholpore Bookvor Pautchpotah, and the lands and grounds appertaining and belonging thereto. No. 5, the Pergunnah of Ameerabad in the same district and province, comprising and consisting of four villages, and the lands and grounds appertaining and belonging thereto. No. 6, the village and lands of Dacrepore and Mungenkollah, in the same district and province, comprising and consisting of two villages, and the lands and grounds belonging and appertaining. Of No. 10, the

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the Chucklah Dooleapore and Dhee Kissenpore, in the same district and province, consisting and comprising 149 villages, and not 189 villages, as in the said Commission mentioned; the ninety-three villages following; that is to say, Nij Malangoh Battpooley, Tughurry Mundogram Kautchroh Hanty, Bremmo Lanson Lawbealy including Jungul and Puttit Kultuosserapore Chuck Isslampore Bouna Daugah Okroh Cooraly, Shery Charol Goryroh Kholly Kotttyham Howl Itcha Coor including Pantonea Pookereah and Jungul and Puttit Hanapore Chouheetah Gholah Doyepam Hansure Couty Khojah Bauah Gooah Baniah Chardiah Bossontpore, including Gonapoty, Nij Soonamoojory Daboueah Gungo Cottah Mondo Cottah Bannatpire 'Cottee Pautkoley Sibpore Saikunderpore Jodo Danodopore Soder Cottee Dumralez Sair Cottee Rounadipore Cottee Sobono Gutcha Parooss Chuck Coman Cottee Ramaissorepore, Ragoorampore, Horicompore, Minojcotte Gonassepoore, Mohowkholly, Joyohtollah Nursingkholly Antoporee Bholson Cottee Mahesey Mottee Tulloh Bhistnopore Mora Gotcha Noyee Hottee, Chingrah Alleepore Joynagoo Nij Autsothah Porroh Bejercotte Godhooleah, Goyoroh Coley Kessoro Hassampore Khoromey, Ansey Coor Sibpore, Chuck Sibpore Roghoosum Pooree Bajoodh, Goree Mondhoo Cottee Mastohapore Peraupore Joychundee Tulloh Camer Gorah Toher Bang Tolley Kholley Hamodoho, Ramgohindpore Choleattah Ghollah Chomarding Bickorlonpore Toongupore Boogdoll, Gopaulpore, Ramchunderpore, Baneeah, Dabeypore Cootabpore, Bargachee and Bublohpor, and the lands and grounds appertaining and belonging thereto. Of No. 11, the Dhee Bajuspore, in the Pergunnah of Datceea and district of Jessore, in the same province, consisting and comprising eighty-six and a half villages, and not eighty-four villages, as in the said Commission mentioned; the fifty villages following; that is to say, Nij Cahilpore, Pootreeah Kolly Kismut Soorooteah Chondopore Bacpempore Aaleypore Dabesorah Ekrapore Daleepore Indrougai Choopnagore, Mooradabad Luckhunnaagore Mogoorah Ghonoh, Nij Lingoh Khaloora Maudpore, Syley Had, Hooleah Denbaka, Bore Barnery Modenpore, Rajahpore Ghesloh, Pookooreah Kismut, Sarickoodho Kismut, Sunoomeah Buckseyonpore, Koomareah Banttroh Noyacollee Bucksay, Zooropore Kismut, Chain Kollah, Goal Chattee, Rajindropore Kismut Koomareeot Nij Rajah Bagilpore, Rajah Cottee Mohadebpore Monumpore, Cham Kollah Kismut Chetretloh, Goal Barreah, Jamlah Gourangpore Knolloy Mauleba, and the lands and grounds appertaining and belonging thereto. No. 12, the Dhee Dandpore, in the Pergunnah of Satoor, in the same district and province, consisting and comprising 163 villages, and the lands and grounds appertaining and belonging thereto. No. 13, a moiety of, in and to the Turruf Punamee, in the same district and province, consisting and comprising four villages, and the lands and grounds appertaining and belonging thereto. Of No. 18, four upper-roomed messuages, tenements or dwelling-houses, situate in Clive-street, in Calcutta, and province of Bengal; and of No. 56, eight buildings or godowns, lately erected or built at Clive-street, in Calcutta aforesaid; all which last-mentioned houses and godowns in Clive-street aforesaid are comprised and contained in the Map or Plan annexed to the Return to the said Commission of Partition issued on the 31st day of July 1824, and marked (X). No. 4, one upper-roomed house and three godowns, marked on the said Plan or Map with the letters (A.) (B.) and (C.), and four begahs, one cattah and one chittack of ground, whereon the said upper-roomed house and

godowns

godowns are erected and built, and situate to the west of Clive-street aforesaid, and which said house, godowns and land are in the said Map or Plan coloured red. No. 19, one other upper-roomed messuage, tenement or dwelling-house, called Pastawall a Battee, situate at Sootanooley in Calcutta aforesaid, with fifteen cattahs and twelve chittacks, and not one begah, two cattahs and six chittacks, as in the said Commission mentioned, or thereabouts, belonging thereto; and which said house, lands and premises are comprised and contained in the Map or Plan thereunto annexed, and marked (X. No. 5.), and are therein distinguished and marked by the figure (No. 19.) written across the same. No. 20, one also a lower-roomed messuage or tenement, situate at Sootanooley aforesaid, called Secunder Sahibs Battee, and the land whereon the same is erected and built, containing sixteen cattahs and two chittacks, and which said last-mentioned house and premises are comprised and contained in the Map or Plan thereunto annexed, marked (X. No. 6.), and are thereon distinguished and marked by the figure (No. 21.) written across the same. No. 22, a piece or parcel of land or ground situate and lying at Noaths Racey, in Calcutta aforesaid, containing four cattahs and five chittacks, and not about eight cattahs, as in the said Commission mentioned; and which said last-mentioned piece or parcel of land or ground is contained and comprised in the Map or Plan thereunto annexed, and marked (X. No. 5.), and is therein distinguished and marked by the figures (No. 22.) written across the same; and also all that piece or parcel of land or ground situate at Comortollah-street, in Calcutta, houses and premises thereupon erected and built, containing one begah and two cattahs, and which said last-mentioned piece or parcel of ground is not mentioned or described in the said Commission, but is comprised and contained in the said Map or Plan thereunto annexed, marked (X. No. 7.). And it is further ordered, adjudged and decreed, that the said Woomeschunder Paul Chowdry, and the heirs and representatives of Rutenchunder Paul Chowdry, deceased, do and shall hold and enjoy jointly, as members of a joint and undivided Hindoo family, as and for their six sixteenth parts or shares of the said lands and premises following; that is to say, No. 2, the Pergunnah Baugmarah, in the district of Nuddea and province of Bengal, comprising and consisting of forty-two villages, and the lands and grounds appertaining and belonging thereto. Of No. 4, the Dhee Unandpore and others in the Chucklah Sreenagore, in the same district and province, comprising and consisting of eighty three-villages, and not eighty-two villages, as in the said Commission, issued on the 31st day of July 1824, are mentioned; the twenty-five villages following; that is to say, Nij Donontpore Mallaypore Day, Poochooreah Gungserch Comer Goreech Sorey Day, Govindoonagore, Nij Baluah Dangoh Panteh Potoh Babegoareah Soyah Dangha, Mooda Diabeehoondee Soree Dwar Casannee, Chattroh Baghee Beckranpore Mauleepootah, Calleeanpooree, Cooporeebanghee Zoolsoroh, Sumbeah Juggutroy Gungapoor haut Coomarsatpore Radanagore Torampore, and the lands and grounds appertaining and belonging thereto. No. 8, the Turruff Moozeppore, in the same district and province, comprising and consisting of twenty-five villages, and the lands and grounds appertaining and belonging thereto. No. 9, the Dhee Rajahpore, in the same district and province, comprising and consisting of eighteen villages, and the lands and grounds appertaining and belonging thereto. Of No. 10, the Chucklah Dooleahpore and Dhee Kessunpore, in the same district and province, comprising and consisting of 149

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villages, and not 189 villages, as in the said Commission, issued on the 31st day of July 1824, are mentioned; the forty villages following; that is to say, Nij Doolaboona Row-atsoh Probungpore Setkoonder Nagore Pantch Barwoh Govindnagore Moororee bautry Mohescoor Deedlore Cossempore Bickenpore Dawoolay Dawool Daith Bhooowoleah Nij Battee Bando Ghatta Rogorampore, Bansborreah Chundertollah Goosary Mohepsorepore Bullupore, Situlpore Gonoputee Bankroh Gessereypore Gorra Khulley Noy Cottee Poora Kholly Mawjutanty Khoosalpore Austah Kholly Nedayah Chuck Doho Dorryapore Bosontpores Roodoorpore Soondah Bareah Poleeah Poteeah Ramoh Ballupore Raneyuagore, and the sixteen villages in Dhee Restnapore, including Bona Ranarainpore, and the lands and grounds appertaining and belonging thereto. Of No. 11, the Dhee Baguspore, in the Pergunnah Dantea and district of Lessore, in the same province, comprising and consisting of eighty-six and a half villages, and not of eighty-four villages, as in the said Commission, issued on the 31st day of July 1824, are mentioned; the thirty-six and a half villages following; that is to say, Nij Cossiepore Kismut Cossiepore Bander Coloh Benodeahs half Pucokorahs Cankolan Luddhee Pasoh Banuehpore Nij Tughorey Bistopore Bhopedan Suttaypore Bankroh Auleypore Mookoon-doopore Somekah Sookoorkolah Booroorepore, Nij Ronootorah Moorpoore, Aungabar-rah, Soomosdepore, Aumaur Collypore Torajee Hurreah, Ghope Roshanpore Gourypore Bawoojooney Looghey Pookoriah Sankdoho, Tailcoopey Raurehporroh Sampire Dand-pore Coolborriah Kismut, Cool Baireah, and the lands and grounds appertaining and belonging thereto. No. 48, the Lalook of Degulram, situate in the district of Nuddea, and twenty-four Pergunnahs in the province of Bengal, comprising and consisting of six villages, together with the lands and grounds belonging and appertaining thereto. Of No. 18, four upper-roomed messuages, tenements or dwelling-houses situate in Clive-street, in Calcutta, and province of Bengal; and of No. 56, eight buildings or godowns, lately erected and built at Clive-street, in Calcutta aforesaid, and all which houses and godowns in Clive-street aforesaid are comprised and contained in the Map or Plan annexed to the Return to the said Commission issued the 31st of July 1824, and marked (X.). No. 4, three upper-roomed houses and seven godowns, and one begah, fourteen cattahs and nine chittacks of ground, whereon the said last-mentioned houses and godowns are erected and built, and situate to the east of Clive-street aforesaid; and which said houses, godowns, and lands are in the said last-mentioned Map or Plan coloured green. No. 55, a piece or parcel of land or ground consisting of two cattahs and two chittacks, and not of two and a half cattahs, or thereabouts, as in the said Commission mentioned, situate in or near Nauths Baugaun-street, in Calcutta, in Bengal aforesaid; and which said piece or parcel of land is comprised and contained in the Map or Plan thereunto annexed, marked (X. No. 5), as is therein distinguished and marked by the figures (No. 55) written across the same number, twenty-one other upper-roomed messuages, tenements or dwelling-houses situated at Sootanooty aforesaid, called Sapoossess Bauty, together with one begah, six cattahs and five chittacks of ground, as in the said Commission mentioned, appertaining and belonging thereto, and which said last-mentioned houses and lands are comprised and contained in the Map or Plan thereunto annexed, marked (X. No. 6), and are therein distinguished and marked by the figures (No. 20) written across the same. And it is further ordered, adjudged and decreed,

creed, that the said Isserchunder Paul Chowdry, and the heirs and representatives of Premchunder Paul Chowdry, and the said Woomeschunder Paul Chowdry, and the heirs and representatives of Ruttenchunder Paul Chowdry, deceased, do execute each to the other all such proper deeds and conveyances of the aforesaid lands and premises so allotted to them, the said Isserchunder Paul Chowdry and the heirs and representatives of the said Premchunder Paul Chowdry, and the said Woomeschunder Paul Chowdry, and the heirs and representatives of Ruttenchunder Paul Chowdry, as may be necessary for vesting the same in them jointly, their heirs, representatives and assigns, as aforesaid. And it is further ordered, that George Money, esquire, the Master of this Court, do settle such deeds and conveyances, in case the parties shall differ about the same; and that in the meantime the parties do hold and enjoy their respective shares so allotted to them as hereinbefore ordered and decreed, according to the said petition, and that each of the said parties do deliver to the other or others of them the title-deeds, which solely relate to the premises allotted to them respectively. And it is further ordered and decreed, that such deeds and conveyances as relate partly to the said premises allotted to the said Isserchunder Paul Chowdry and the heirs and representatives of the said Premchunder Paul Chowdry, and partly to the said premises allotted to the said Woomeschunder Paul Chowdry and the heirs and representatives of the said Ruttenchunder Paul Chowdry, be brought in and deposited in the office of the said Master of this Court for their mutual benefit, subject to the further order of this Court; and that all parties, at his or their own costs and charges and expenses, may be at liberty to have attested copies of all or any of such deeds, muniments and writings. And it is further ordered and decreed, that the costs of the said Commission of Partition shall be paid and borne by the parties in the proportion of their interests in the said property; that is to say, ten sixteenth parts or shares thereof by the said defendant, Isserchunder Paul Chowdry, and the heirs and representatives of the said Premchunder Paul Chowdry, deceased, and six sixteenth parts or shares thereof by the said Woomeschunder Paul Chowdry, and the heirs and representatives of the said Ruttenchunder Paul Chowdry, deceased. And this Court doth further order and decree, by and with the consent of the said Woomeschunder Paul Chowdry and Wooljumooney Dossee, the widow of Ruttenchunder Paul Chowdry, deceased, their advocates and attorneys in these causes, that James Weir Hogg, esquire, the Receiver of this Honourable Court, be, and he is hereby appointed, the receiver of the said six Annas share, allotted jointly to the said Woomeschunder Paul Chowdry and the heirs and representatives of the said Ruttenchunder Paul Chowdry, deceased, and that the said Isserchunder Paul Chowdry do, forthwith, deliver possession thereof to the said Receiver. And it is further ordered and decreed, that the said Receiver do and shall pay to the said Woomeschunder Paul Chowdry one moiety or half part or share of the rents, issues and profits of the six Annas share from time to time as the same shall be received by the said Receiver. And it is further ordered and decreed that it be, and it is hereby referred to George Money, esquire, the Master of this Court, to inquire and report whether any and what joint family-worship has hitherto been maintained and kept up at the family dwelling-house at Ranaghat, and whether or not, according to the religious laws and usages, it is fit and proper that such joint family-worship should be continued at the joint expense; and if the said Master shall report that

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such joint family-worship ought to be continued at the joint expense, that he do then report what sum ought to be set apart for the maintenance and performance of such worship. And this Court doth further order, that this decree shall be binding on the said infant defendant, Gunganarain Paul Chowdry, unless he shall, within six months after he shall have attained his age of sixteen years, show unto this Court good cause to the contrary. And this Court doth further order and decree, that the said Master do make his report on the matters hereby referred to him on or before the second equity day of the next ensuing term. And this Court doth think fit to reserve, and doth hereby reserve, all further directions until after the said Master shall have made his report on the matters hereby referred to him; and in the mean time all parties are at liberty to apply to this Court from time to time as they may be advised. Witness, Sir Charles Edward Grey, Knight, Chief Justice at Fort William aforesaid, the 16th day of September, in the year of our Lord 1828.

Stacey, Attorney.

(Signed) J. W. HOGG, Register.

Tate Romatt, and Master Attorney.

Voc, Attorney.

A true Extract:

(Signed) J. W. HOGG, Register.

(Miscellaneous.)

No. 3.

LETTER from Board of Revenue, Lower Provinces, to Lord W. C. Bentinck, Governor-General in Council, &c. &c. &c., Fort William.

Board of Revenue, Lower Provinces,  
4th February 1829.

My LORD:

Board of Revenue  
to Governor-Gen.  
in Council.

In continuation of our Letter, dated the 24th ultimo, we have the honour to forward another communication, dated 2d instant, from the Receiver of the Supreme Court.

2. The lands referred to are advertised for sale for arrears of revenue; those in the Jessore district on the 5th instant, and those in the Nuddea district on the 12th instant; and under any circumstances they must, we are of opinion, be first responsible for the Government Revenue.

We have, &c.

(Signed) J. PATTLE,  
W. BLUNT.

(Enclosure.)

LETTER from E. Macnaghten, Esq., to G. A. Bushby, Esq., &c. &c. &c.

SIR:

Enclosure in No. 3

Will you have the goodness to inform me whether any thing has yet been settled regarding the subject of my Letter of the 23d ultimo?

I now find that the Collectors of Jessore and Nuddea have advertised for sale, on the 5th

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1065 .

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&c

5th and 12th of this month, some part of the lands allotted, by the decree of the Supreme Court, to Woomeschunder Paul Chowdry, and to the heirs and representatives of Ruttenchunder Paul Chowdry, deceased, for arrears of Revenue due to Government.

Enclosure in No. 3.

I trust that, pending the reference to Government of my Letter of the 23d, the Board will direct the sale to be postponed.

Court-house,  
3d of February 1829.

I am, &c.  
(Signed) E. MACNAGHTEN,  
Rec. Sup. Court.

No. 4.

LETTER from Mr. Secretary Mackenzie to J. Pearson, Esq., Advocate General.

SIR : Council Chamber, 6 February 1829.

I am directed by the Right Honourable the Governor-General in Council to transmit to you the Papers noted in the margin,\* and to request that you will state your opinion, whether the Supreme Court has jurisdiction in cases touching the succession or transfer of real property in the Mofussil, and how far the judicial and Revenue officers of Government are bound to recognize the Receiver appointed by the Court in the case referred to in the above Correspondence.

Secretary to  
Government to  
Advocate-General.

2. You will perceive that the revenue of the estate referred to is in arrear, and consequently that an early reply to this reference is urgently required.

3. You will be pleased to return the above Papers with your reply.

I have, &c.  
(Signed) H. MACKENZIE,  
Secretary to the Government.

No. 5.

LETTER from John Pearson, Esq., Advocate General, to Holt Mackenzie, Esq., Secretary to Government.

SIR : Fort William, 20 February 1829.

I have the honour to acknowledge the receipt of your Letter, in which you request my opinion whether the Supreme Court has jurisdiction in cases touching the succession or transfer of real property in the Mofussil, and how far the judicial and Revenue officers of Government are bound to recognize the Receiver appointed by the Court in the case referred to in the Correspondence forwarded to me.

Advocate-General  
to Secretary to  
Government.

2. The appointment of an European officer by the Supreme Court appears to me a circumstance of little moment in itself, and wholly distinct from the possession or occupation of land in the Mofussil, as the right to make such appointment depends upon the extent

\* Letter from Board of Revenue, dated 21th January last, with its Enclosures.  
Ditto ... ditto ... 4th February ... ditto.



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COUNCILS,  
&c.

Advocate-General  
to Secretary to  
Government.

extent of the jurisdiction which the Supreme Court possesses ; and I entertain very considerable doubts whether the Supreme Court was originally meant to possess any jurisdiction at all beyond the limits of Calcutta, except over British subjects, and certain other persons specified in the Acts of Parliament.

For it is not, I believe, pretended, that the actions which particularly relate to real property out of Calcutta, the action of ejectment, for example, can be brought in the Supreme Court, except in those cases where the lands have been in the occupation of a British subject ; and it certainly appears an inconsistency that the same Court should, notwithstanding, be empowered to seize and sequester, or transfer or divide, the lands in the Mofussil.

3. The Supreme Court has, however, at all times, claimed and exercised this right, under the powers alleged to have been conferred by Acts of Parliament and the Charter granted by the Crown.

The statute 21 Geo. III. c. 70, s. 17, gives to it “ full power and authority to hear “ and determine, in such manner as is provided for that purpose in the said Charter or “ Letters Patent, all and all manner of actions and suits against all and singular the “ inhabitants of the said city of Calcutta.” And the 18th clause of the Letters Patent directs that the Supreme Court shall be a Court of Equity, and assimilates its power and authority to the Court of Chancery in England.

The process of the Court of Chancery was in its origin against the person, in order to enforce a decree ; but in time, from experience of the evils attendant on this mode of proceeding, it had recourse to a species of process against the property itself, by means of the writs of sequestration.

The Supreme Court adopted these in conformity with the words which I have cited from the Charter ; and by analogy with other steps taken in the English Court of Chancery, as well as to give effect to the peculiar incidents and tenures of land in this country, it has also issued, as in the case submitted to me, the writ of partition.

4. In this mode of considering the subject, I conceive that the Supreme Court is borne out by the expressions of the Charter, though (as I have intimated already) I am inclined to doubt whether any such power was originally meant to be given. It may be added, that by the Charter of Justice, sect. 9, it seems that the powers of the *Sheriff* are extended over Bengal, Behar and Orissa, though I think it probable that this was originally intended to reach only British subjects and their property ; the case of property in the Mofussil in the hands of natives, inhabitants of Calcutta, not being in the contemplation of the framers of the Charter.

The power, however, has been exercised by the Supreme Court from the earliest times, and it is now too late, I conceive, to resist it with effect. At all events, the only regular mode of trying the question is by an appeal to the King in Council ; and I ought to observe, that in many instances the decisions of the Supreme Court in circumstances similar to the present have been sent home upon appeal, and confirmed by the King in Council, without its appearing to have occurred to them that the Court had exceeded its powers.

5. In the mean time it appears to me, that the officers of revenue are not called upon to alter the mode of proceeding prescribed by the Regulations of Government, which have

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have the entire authority of laws in the Mofussil. They are indeed directed, in common with other persons, to be "aiding, assisting, and obedient in all things unto the said "Supreme Court of Judicature." But I do not conceive that this injunction would justify a disobedience of the Regulations of Government, merely because a party may infer that some of these Regulations are, in their consequences, inconsistent with the intention of the Supreme Court. I do not, however, perceive in what manner the judicial officers of Government can be affected by the present mode of proceeding in the Supreme Court.

6. At the same time, in looking at the strange and anomalous state of things in this country, arising from the various laws, regulations and institutions that exist, from the powers of the Supreme Court and of the General Government, distinct from and usually independent of each other, at the same time that they are in some measure concurrent, it is easy to see that an interference must occasionally take place, and it is clear that it is most desirable to avoid any unpleasant collision. I trust I shall be pardoned if I take the liberty of suggesting, that perhaps some plan may be devised to carry into effect the decrees of the Supreme Court, without interfering with the independent rights and powers of the Government. I am not sufficiently acquainted with the details of the establishments in the Mofussil to venture upon suggesting any project; but if a mode could be pointed out which should be at once efficient in itself and not objectionable to the Government, I trust that the Supreme Court (constituted as it is) would be desirous of acceding to it.

I have, &c.

(Signed) JOHN PEARSON,  
Advocate General.

LEGISLATIVE  
COUNCILS,  
&c.

Advocate-General  
to Secretary to  
Government.

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No. 6.

LETTER from E. Molony to the Board of Revenue, Lower Provinces.

GENTLEMEN:

Fort William, 23d February 1829.

I am directed by the Right Honourable the Governor General in Council to acknowledge the receipt of two letters from you, dated the 24th ultimo, and 4th instant, and, in reply, to communicate as follows:

Deputy-Secretary  
to Government to  
Board of Revenue.

2. His Lordship in Council is of opinion, that you should direct the Collectors who are concerned in the foregoing reference to act under the decree of the Supreme Court, and the application of the Receiver thereupon, in the same way as they would act under a similar decree passed by any of the Mofussil Courts.

3. The registry of the names of the complainants, in cases in which portions of Mehals have been awarded to them, will not, of course, exempt the whole estate from the responsibility which, under the Regulations of Government, attached to it for the punctual payment of the public revenue assessed on it. But your Board will, of course, be prepared to show any reasonable indulgence in respect to time; and should the parties desire to enter into separate engagements for the revenue chargeable upon their lands, they will apply for a regular butwarrah.

4. With

LEGISLATIVE  
COUNCILS,  
&c

Deputy-Secretary  
to Government to  
Board of Revenue.

4. With regard to the Receiver of the Supreme Court having been vested with the management of the minor's estate, the Governor-General in Council is of opinion, that, the jurisdiction of the Court being admitted, the rule which restricted Europeans from holding lands or managing estates in the Mofussil, ought not to be considered applicable to that officer.

5. In regard to the jurisdiction of the Court of Wards as liable to be affected by the case, his Lordship in Council observes, that as the estate is joint undivided property, of which some of the sharers are majors, there can be no reasonable ground to apprehend collision on that score.

6. You are requested to issue to the several Collectors concerned in the present reference, such instructions as you may deem necessary to enable them to act in consonance with the above remarks and orders.

7. His Lordship in Council proposes to take into early consideration, the measures to be adopted for the purpose of obviating the inconveniences which are to be apprehended from the present state of the laws and practice of the Court.

I have, &c.

(Signed) E. MOLONY,  
Dep. Sec. to Gov.

P. S.—The original Papers which accompanied your Letter, under acknowledgment, are herewith returned.

#### No. 7.

LETTER from Board of Revenue, Fort William, to W. B. Bayley, Esq., Vice-President in Council, &c. &c. &c., Fort William.

Sudder Board of Revenue, Fort William,  
6th March 1829.

HONOURABLE SIR :

Board of Revenue  
to Vice-President  
in Council.

We have the honour to acknowledge the receipt of the orders of the Governor-General, conveyed to us in Mr. Deputy Secretary Molony's Letter, dated the 23d ultimo, on the subject of the application of the Receiver of the Supreme Court, submitted for the orders of Government, with our addresses of the 24th of January and 4th ultimo.

2. In conformity with those instructions, we have directed the local Collectors concerned in that reference to act under the decree of the Supreme Court, and the application of the Receiver thereupon, in the same way as they would act under a similar decree passed by any of the Mofussil Courts, and to register the names of the parties in the manner directed by the decree of the Court; though we may here observe that no Mofussil Court can, under the provisions of Regulation V. 1827, appoint a manager to an estate, the selection and appointment of whom is, in all cases, vested in the Revenue authorities.

3. But as we are of opinion that great inconvenience is likely to result from the appointment of an European officer of the Supreme Court to collect the public Revenues, and as such officer is not, we conceive, amenable to the Mofussil Courts, or liable to the penalties

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penalties prescribed for undue exaction of rent, illegal distress, disobedience or resistance of process, or other act in violation of the Regulations prescribed for the realization of the public Revenue, it may, we conceive, have been the intention only of the Supreme Court, that the Receiver should collect the surplus proceeds of the estate to which the proprietor or proprietors may be entitled in excess of the fixed demand of Government, and which we conceive it probable is the only portion of the assets of the estate to which the decree of the Court is intended to apply.

4. On this point, therefore, we would propose, with the sanction of Government, to apply for further information from the Receiver to the Supreme Court; likewise whether it is proposed to collect the rents by means of Native or European agency; also, to whom the Revenue authorities are to look for payment of the public dues, or to direct any prescribed process in case of default, should it for any reasons be deemed inexpedient to proceed to a sale of the lands in satisfaction of any demand of Government.

We have, &c.

(Signed) W. BLUNT.

LEGISLATIVE  
COUNCILS,  
&c

Board of Revenue  
to Vice-President  
in Council.

No. 8.

(Secret Department.)

MINUTE by Sir C. T. Metcalfe, dated 15 April 1829.

THE contention which has for some time past been in progress between the Government of Bombay and His Majesty's Court of Judicature at that Presidency, without any apparent prospect of termination, demands the serious consideration of the authorities at home, who may possess the means of rectifying an evil discreditable to our character and dangerous to our power in India.

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Discreditable to our character in the estimation of the natives of India as all such dissensions must necessarily be, and dangerous to our power, because inasmuch as that depends on the respect and awe entertained of us by the native population, nothing has so much contributed to confirm those sentiments as a belief in our perfect union among ourselves, and nothing can more certainly tend to shake them than the appearance of discord between our highest authorities.

It is therefore necessary to determine whether, in matters of doubtful dispute, the Government or the Court of Judicature at the several Presidencies shall be supreme; whether the Government must in every case submit to any exercise of judicial power which the Court may assume, or the Court be restrained by the will of the Government, whenever the latter may be sensible of political reasons of sufficient importance to induce its interference, either to resist a new assumption of power, or to suspend the exercise of one doubtful or dangerous, which may have been before admitted.

To me it seems quite clear, that the supreme power ought to rest with the Government; and that in any case in which the exercise of the powers of the Court might be deemed injurious to the safety or welfare of the state, the Government ought to possess authority to suspend the functions of the Court as regarding that particular case, and the Court be bound to acknowledge and abide by the restrictive power of the Government pending a reference to superior authority in England.

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The possession of such a power by the Government appears to be the more necessary in cases in which new and doubtful powers are assumed by the Court, such as have never been before exercised, and are disputed and denied by competent interpreters of the law.

In arguing for the possession of restrictive powers by the Government in India over the Court of Judicature, I only propose what, as I conceive, exists in every country in the world; a saving power in the Government for the benefit of the State over all parts of the governing machine, of which the judicial department is one.

There is no danger to the national power in England from an undue stretching of the authority of Courts of Justice. There is no probability there that the Courts can misunderstand their functions; but if there were any chances either of error or of mischief, the Legislature is at hand to restrain or rectify.

What the Legislature is to Courts of Justice in England, the local Government in India ought in reason to be to Courts here; that is temporarily, and until the result of a reference to England can be known. If not so perfect and satisfactory an instrument of control as the Imperial Legislature, it is the best that can be had on the spot. And unless it can be maintained that the Government must submit, whatever may be the consequences, to any extension of jurisdiction that any Court of its own pleasure may assume, it must follow that a provisional and temporary restrictive power ought to be vested in the Government; for it can never be supposed that a disgraceful contest between the two powers, as separate and opposed to each other, ought to be exhibited to conquered India; to excite the anxiety and fears of the well affected, and the hopes and ridicule of the disaffected and hostile.

When such a contest commences, there are no means of stopping it in the present state of relations between the Government and the Court. The Government cannot sacrifice its subjects to an assumption of power which it believes to be illegal. The Court having once declared the assumption to be legal, considers itself interdicted from rejecting any application founded thereon, and from listening to any compromise or suspension of the power. It regards and treats the members of the Government as so many culprits, who are punishable for contempt of the King's Bench. The feelings of the parties become engaged in the quarrel. Each thinks it dishonourable to yield. The Government will not give up its native subjects to laws and jurisdictions to which they have never before been held amenable. The Judge conceives that he is supporting the independence of the British Bench, and maintaining a praiseworthy contest against lawless interference. The struggle is interminable, and may be renewed continually by fresh cases involving the disputed point.

At this immense distance from the control of the Mother Country, there surely then ought to exist a local authority vested with power to put a stop to these unseemly contentions. If it can be said with any justice that a Court of Law may push its authority to any extent, and that no apprehension of consequent mischief and danger can justify a Government in refusing obedience, then let it be determined, that the Government must, in all cases, submit to the will of the Court. It would be better that the supremacy of the Court should be acknowledged and known, than that room for contention should remain.

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- There are, nevertheless, reasons why the supreme power should rest with the Government, and not with the Court.

The political power of a state, exercised by its Legislature, is everywhere superior to the judicial, which is subordinate, performing only the functions conferred on it by the former, which are liable to any modifications that the Legislature may enact.

Against this it may be urged, that the real Legislature of British India is the national Legislature in England, and not the local Government ; but, on the other hand, the local Government, performing locally the functions of political administration, approaches nearest to the representation of the distant home Government, while the Judicial Court cannot properly represent the legislative power.

Moreover, the occasions on which the Government and the Court are likely to be involved in disputes, are when the Court is extending its own jurisdiction beyond its former limits, that is, assuming powers not before exercised. The check, therefore, ought to be vested elsewhere, for we know from experience that the Court is not likely to check itself ; the exercise and extension of power being at all times enticing to human nature.

The Court in such cases may be said to be the aggressor, and the Government on the defensive. It is more equitable, therefore, that the Court should be required to pause, than that the Government should be compelled to submit to new assumptions.

No new assumption by the Court can take place, without drawing more within its jurisdiction our native subjects, already amenable to other Courts established for their protection. They can only look to the Government for defence against the exercise of power by an authority to which they have never considered themselves subject. They are entitled to this defence, and the Government ought to have the power of affording it.

The restraining power contended for herein on the part of the Government, should be exerted of course with due consideration and forbearance, and subject to serious responsibility.

If it were deemed inexpedient to confer it on the subordinate Government of each Presidency, it might be confined to the Supreme Government, or the exercise of it by the subordinate Governments might be subject to the confirmation and revision of the Supreme Government ; which course would rectify the possible errors of local irritation, without impairing the efficiency of immediate remedy.

Next to the importance of preventing unseemly contention between independent British authorities in this distant region, by conferring somewhere the power of local supremacy pending a reference to England, it is very desirable that the powers to be exercised by His Majesty's Courts of Judicature, that is, the extent of their jurisdiction, should be accurately defined.

Out of the want of clear definition and of general understanding, arise all the disputes which take place ; for respecting the acknowledged customary powers of the Courts there are no disputes.

It is unquestionably due to our native subjects, that they should be informed to what Courts and to what laws they are amenable. At present they are amenable to the Courts established in the provinces in which they reside, and subject to a modified code of native laws, both in civil and in criminal matters ; but suddenly, by some legal hocu

pocus, incomprehensible to them, they find themselves dragged into the jurisdiction of the Court of English Law, armed with tremendous power, from which there is no reprieve, where they are beset by unintelligible forms and bewildering complexities, and ruined by intolerable expense.

It never could have been intended by the British Legislature, that our Indian subjects should be amenable to two sets of Courts and two codes of laws; but such is now the effect of the gradual extension of the jurisdiction of His Majesty's Courts, some of the steps in which have been imperceptible, or at least unnoticed.

When His Majesty's Supreme Court was first established in Bengal, it was understood that its civil jurisdiction extended to claims against the Company, and against British subjects, and to claims of British subjects against native subjects in cases wherein the latter had agreed to submit to its decision and its criminal jurisdiction, to British subjects, and to persons in the service of the Company, or of any British subject, at the time of the offence.

The establishment of this power, independent of the local Government, was soon followed by disputes, disreputable in their circumstances, and dangerous to the public safety.

The Court had not been long in the exercise of its functions, when it extended its practical jurisdiction indiscriminately to all natives; nothing more being necessary to procure a writ against any of them than an affidavit that the person sued was within the jurisdiction.

The collection of revenue and the administration of justice in the provinces, were obstructed by writs of *habeas corpus*, and prisoners brought up by these writs were set at liberty by the Court.

Neither the Government exercised by the Company, nor that of the Nawab of Moorshedabad, was respected. Both were declared subordinate to the Court. Had the usurped powers of the Court been allowed to proceed without check or opposition, the Government must have been destroyed.

The powers assumed, the pleas by which they were maintained, the tone of self superiority, and of contempt for the local Government, which mark the proceedings of the Court at that time, are remarkably similar to those which appear in the recent proceedings of the Court of Bombay.

The proceedings of the Supreme Court of Bengal having been loudly complained against, its powers were restrained by a subsequent enactment.

Since which, either from a better understanding of the intentions of the Legislature, or from mutual moderation in Governors and Judges, or from the submission of Government to gradual or quiet encroachments, until the present contention at Bombay, there has not been the same degree of misunderstanding and dispute regarding the powers of the King's Courts; but it is evident from what is now passing at that Presidency, and from what has before happened both at Madras and in Bengal, that the seeds of dissension still exist in the undefined condition of the jurisdiction of all the Courts.

The Courts at Madras and Bombay were established at different periods, subsequently to that of the establishment of a Court in Bengal. The Charter of the Madras Court differs in some degree from that of the Calcutta Court, although intended

avowedly

avowedly to confer only the same powers. The Bombay Charter is formed, I presume, on the model of that of Madras.

Besides jurisdiction over all British subjects, the Courts have an acknowledged jurisdiction over native subjects residing within the appointed limits of the several cities designated Presidencies; disputes which have occurred, and are likely to occur, refer to the extent of the Court's jurisdiction over native subjects beyond those limits.

We have seen a native of India, lately a servant of the king of Oude, but residing within the British frontier for refuge, arrested on a false allegation of debt, many hundred miles away from Calcutta, by an officer of the Supreme Court, and placed in the power of his pretended creditor and undoubted enemy, on some legal fiction of his being a constructive inhabitant of Calcutta, in consequence of dealings with parties residing there.

If such a plea brings natives within the jurisdiction of the Supreme Court, there is not a mercantile native residing in any part of India who is not amenable; for all of them have commercial agents or dealings in Calcutta.

To call any one a constructive inhabitant of Calcutta who has never been within many hundred miles of the place, whatever it may be in law, seems an outrage against common sense. And to arrest such a one at that distance by a writ from the Supreme Court, he never dreaming of his liability to such jurisdiction, being at the same time amenable to provincial Courts and provincial laws, must surely be considered as a gross violation of natural justice.

It may be reasonably presumed, that the Legislature did not intend to confer such jurisdiction on the Court; but we know that it has been assumed.

We have seen property seized in the most remote provinces under the Bengal Presidency, as the property of a bankrupt firm of Calcutta, and made over wholly to another firm of that place, on a bond; although creditors of the bankrupt firm, and claimants against it, were present in those provinces; although the transactions on which they claimed took place in those provinces; although the property seized was properly their own, never having been paid for; although they were entirely ignorant of the existence of those peculiar laws, which at once took away their property and deprived them of all means and all chance of recovering any part of the debts due to them. The awe of the Supreme Court deterred the local authorities from attempting to maintain the rights of the local creditors. Can any one say that this is justice to our native subjects, or that a Court, a thousand miles distant, ought to possess a jurisdiction so partial to the few, so destructive to the mass?

We recently heard that a native not residing within the Court's jurisdiction, nor amenable to it, according to common understanding, on any other account, was to be tried before the King's Court, on the charge of a crime committed beyond the limits of the jurisdiction, in order to establish the principle, that all natives, notwithstanding those circumstances, might be brought before the Court for trial. I do not know how this matter ended; but if the trial took place, it was certainly a new encroachment, and will form a precedent for further extension of jurisdiction.

We have still more recently had occasion to observe, that landed property in the provinces beyond the limits of the Court's local jurisdiction, is somehow brought within its jurisdiction; that it is decreed away from one party to another, or attached and seques-

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tered at the Court's pleasure; and that European officers of the Court are appointed receivers of the rents, by which the regulations of the Government for the administration of the provinces are set at nought. It is the opinion of the Advocate-General, that the Legislature did not intend to confer on the Court the powers thus assumed, but that they have been too long exercised to be now successfully combated.

The instances abovementioned have occurred in the proceedings of the Calcutta Court, where we have undoubtedly able, upright, moderate and conciliatory Judges.

What is here required, is a clear definition of the extent of the Court's jurisdiction with regard to native subjects resident beyond the limits of its local jurisdiction; and it cannot be denied that this definition is necessary, unless it can be affirmed that it is just to expose our native subjects to the operation of two sets of laws, and of two independent jurisdictions.

The Court at Madras at one time assumed the power of executing its writs in foreign territories, acted on the assumption, and attempted to justify it by reference to its Charter. This erroneous conception of the Court's powers was reported to England. The opinion of high legal authorities was given against it, and communicated to the Judges at Madras. The pretension has not since been revived; but there is nothing to prevent its renewal, if adopted by any Judges in time present or to come.

The Madras Court has assumed the power of destroying the sovereign rights of the Government, by decreeing to others public Revenues granted by the Company to an individual. The exercise of this assumed power, if unresisted, might alienate in perpetuity the whole of the public Revenue, which, in virtue of its sovereign rights, the Government might grant in assignment, under limitations as to time and persons. Moreover, the sovereign acts of the Government in the disposal of its public Revenue beyond the limits of the Court's local jurisdiction, being once rendered liable to subversion by the fiat of the Court, no security for the Revenue or for the possession of India would remain. A limitation of the Court's powers on this subject, therefore, is also necessary.

At Bombay, the Court has, within my recollection, sent its bailiffs into a foreign territory to seize a subject of a foreign Government. No pretension of this kind, I imagine, could be maintained by any Court; it may therefore be supposed that the act was committed by mistake, owing to false swearing. And it is remarkable, with regard to the proceedings of the King's Courts in India, that any writ, however injurious to the individual affected by it, may be obtained by false swearing. Two persons have only to swear that a native is liable to the Court's jurisdiction, and he may be dragged to the Presidency from his home, distant a thousand miles, in a country and climate extremely different, although he be not in the slightest degree by law amenable to the Court's jurisdiction. This matter, in justice to our native subjects, certainly demands a remedy. Such are the forms or practice of the Court, that its most questionable powers, prior to trial, may be wielded with all their irresistibility at the discretion of the attorneys, with little or no check, or even knowledge, on the part of the Judges.

One of the powers recently assumed by the Court at Bombay is that of releasing native convicts, condemned according to law by the Provincial Courts. This power being assumed, it is only necessary that one or two persons swear that such a one is illegally

illegally confined, and forthwith issues a writ of *habeas corpus*, addressed to the magistrate of the district, or the gaoler or some officer of the Provincial Court, ordering the bringing up of the convict before the King's Court. The return that he has been sentenced to imprisonment by the Provincial Court is not deemed sufficient. The King's Court does not recognize the existence of any right in the Provincial Court to punish. It professes to know nothing of the powers of such a Court. The Provincial Court itself must come to trial. It must be proved to the satisfaction of His Majesty's Justices that such a Court exists and has a power to punish, and that the Government has the right to institute such a Court; else, without further ceremony, and as a matter of course, the prisoner is released.

The exercise of this power by the King's Court, with regard to prisoners sentenced by the judicial Courts established throughout the interior of British India, seems to be quite incompatible with the independent existence of those Courts. Either the King's Courts ought to be restrained from interfering with separate judicial institutions which they cannot efficiently control, or they ought to be connected and blended with those institutions in one united establishment for the due administration of justice. Their interference at present is neither necessary for justice, nor, if necessary for that purpose, could it be effectual, under the present system, over the immediate extent of territory subject to the Provincial Courts. It must now tend to produce mischievous counteraction, to bring into contempt the local Government and its judicial institutions, and to impair the administration of justice.

Similar powers were assumed by the King's Court when first established in Bengal. Prisoners of the Provincial Courts were then brought up in like manner by writs of *habeas corpus*, and released. But since the powers of the Court were restrained, the practice has ceased, and its assumption by the Court at Bombay does not profess to be founded on those precedents.

Another power assumed by the King's Court at Bombay, but resisted by the Government at that Presidency, is that of taking native wards out of the hands of their guardians and bringing them to the Presidency, to be disposed of at the pleasure of the King's Court; neither the wards nor their guardians being subject to its ordinary jurisdiction.

If the Court possess this power legally, there is not a ward in British India whose affairs may not be brought within its jurisdiction. Interested parties have only to swear that the ward is illegally detained by his guardian. The whole native property of our dominions may successively be drawn into the Chancery of the King's Court; the Court all the while acknowledging that its ordinary jurisdiction does not extend over the parties. What is the difference whether the jurisdiction be called ordinary or extraordinary, if it be assumed and exercised? If it had been intended that the natives of India and their property should be liable to the jurisdiction of the King's Court, they would not, it may be presumed, have been placed under a separate jurisdiction.

Every power exercised or assumed by the King's Court, or any other, is of course professedly and intentionally for the purpose of rendering justice or redressing a grievance; but it seems to be forgotten that an extension of jurisdiction over those not before amenable to it may be oppression instead of justice.

According to the present practice of the King's Courts, a native of the snowy mountains

tains of Himala, not amenable to the Court's jurisdiction, and utterly unconscious of the existence of such a Court, may be dragged a distance of 800 miles or more, to the swamps and jungles and stifling heat of Bengal, merely to show that he is not amenable to jurisdiction, and go back again, fortunate if his plea be admitted, and if he do not perish from the contrast of climate.

If it be deemed really necessary that our native subjects, without regard to distance of residences, should be amenable to the Court of English Law, rules ought to be framed to let them know clearly that they are so, or how they may become so.

But it ought never to be that the jurisdiction should remain undefined, and subject to unlimited extension at the pleasure of the Judges.

Who does not know that it is natural to human frailty to seek an increase of power ? The Judges are generally well disposed to extend their jurisdiction. The barristers and attornies of the Court have the strongest inducements of personal interest to urge the extension, as their profit and their livelihood depend on their quantity of business brought within the jurisdiction. In reason the Court ought not to have the power of determining its own jurisdiction ; yet it holds its power in this respect to be absolute and indisputable.

There is at present a single Judge on the bench at Bombay. Whatever powers he may assume and exercise, he holds obedience to be due to his will as the law. The united opinions of all the Judges of the Calcutta Court, all the Judges of the Madras Court, and all the barristers of all the three Courts, would be of no avail against his single will. He is the only interpreter of the law in his own Court, and his opinion, even if against that of all the world besides, and although leading to the extension of his own powers, is to have despotic force, and to affect the condition of millions in the most important concerns of mortal life.

It is surely then necessary that the law should be so defined as to be universally understood, and as free as distinctness can make it from the possibility of misinterpretation.

It appears to me, from the foregoing statements and considerations, to be established, 1st. That it is necessary distinctly to define the jurisdiction of the King's Courts with regard to native subjects ; 2d. That a supreme power, to prevent protracted disputes and collision between the Governments and the Courts in doubtful cases, ought to be vested either in the Governments or the Courts, and preferably in the former.

Before I submit in detail the suggestions which occur to me, with a view to those objects, I will venture to offer some remarks as to the jurisdiction actually possessed by the King's Courts under existing enactments and charters.

As there are differences of opinion on this question among judges and barristers learned in the law, it may seem presumptuous in one who has no pretensions to legal knowledge to form any opinion on the subject. But it rather appears to me, that there is from that circumstance encouragement for an unlearned man to seek the truth under the guidance of common sense, since it is manifest that there must be error, one way or the other, in the maze of technicality.

Sense and meaning are at the bottom of all legislation, however difficult it may subsequently be to discover them in the entanglements of professional language.

It seems to me, then, after an attentive perusal of the Acts and Charters relating to the

the Courts of Calcutta, Madras and Bombay, combining the whole series of legislation on this subject, that the intention of the Legislature is clear and distinct.

According to this, I should say, that the jurisdiction of the Supreme Court extends over the following classes :

1. British subjects throughout India, in all matters civil or criminal ; By the British subjects wherever it is used in the enactments and Charters, native subjects are evidently meant to be excluded.

2. The inhabitants of Calcutta, Madras and Bombay, within fixed limits, whether natives or others, in all matters civil or criminal ; but natives in some civil matters to have justice administered according to Hindoo or Mahometan law.

3. Native subjects, servants of the Company, or of any British subject, for acts committed as such, with limitations in certain civil matters.

4. Native subjects, in civil matters, for transactions in which they have bound themselves by bond to be amenable to the King's Court.

All natives not included in either of the three classes above mentioned, seem to be exempt from the jurisdiction of the King's Court. If they are not so, it would be useless to specify those who are amenable. If not exempt, they would be more generally amenable than the inhabitants of Calcutta, Madras or Bombay, and the other classes of natives specified, because in that case they would be amenable without limitations, not being included in those classes for whom limitations are provided. It is quite clear that this could not have been intended, and the only alternative is, that they are exempt, which appears to be the design of the Legislature.

Of the four classes above specified, as amenable to the King's Courts, the law seems sufficiently distinct regarding three.

There is no doubt that all British subjects are in every respect amenable, with certain specified exceptions.

There is no doubt that the law makes amenable for wrongs and trespasses native subjects in the service of the King or Company, or of British subjects, and generally in all criminal matters also.

There is no doubt that native subjects are made amenable by the law in civil transactions in which they bind themselves to be so.

There is no doubt that native subjects, inhabitants of Calcutta, Madras and Bombay, are amenable; but with regard to this class, the powers of the Courts ought to be defined; for no native, after proceedings which have taken place, can feel secure that he may be converted into an inhabitant of either of those Presidencies by some legal legerdemain, although he may never have been within a thousand miles distance of the place; and there is no property in any part of British India that may not, by the extended construction apparently put on the law, be brought within the grasp of the King's Court. A distinct definition of the meaning intended by the Legislature to attach to the term inhabitant, would relieve our native subjects from much uncertainty and alarm which now prevail, from apprehension of their being made liable to the process of the Court.

The Court at Bombay draws a distinction between ordinary and extraordinary jurisdiction, and, on the ground of the latter, claims unlimited jurisdiction over all native subjects within the territories subject to Bombay.

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This claim seems to be founded on that part of the Charter of the Court which grants jurisdiction in the following terms:

“ The Court invested with a jurisdiction similar to the jurisdiction of the King's Bench in England.”

The above is the marginal note. The text is as follows:

“ And it is our further will and pleasure, that the said Chief Justices shall severally and respectively be, and they are, all and every of them, hereby appointed to be Justices and Conservators of the Peace, and Coroners within and throughout the settlement of Bombay, and the town and island of Bombay, and the limits thereof, and the factories subordinate thereto, and all the territories which now are or hereafter may be subject to or dependent upon the Government of Bombay aforesaid, and to have such jurisdiction and authority as our Justices of our Court of King's Bench have and may lawfully exercise within that part of Great Britain called England, as far as circumstances will admit.”

This paragraph describes the nature of the Court's jurisdiction, but does not define the persons over whom it extends. If all in the Charter relating to the Court's jurisdiction were contained in that paragraph, there could be no doubt that the intent of the Charter must have been to confer a jurisdiction similar to the jurisdiction of the King's Bench over all the territories of Bombay; but, taken with the other contents of the Charter, it seems equally clear to me, that the jurisdiction thus granted is only to be exercised over those who are declared to be subject to it. I proceed to that part of the Charter which defines the jurisdiction.

“ The jurisdiction of the Court defined :

“ And we do further direct, ordain and appoint, that the jurisdiction, powers and authorities of the said Supreme Court of Judicature at Bombay shall extend to all such persons as have been hereinbefore described and distinguished in our Charter of Justice for Bombay, by the appellation of British subjects, who shall reside within any of the factories subject to or dependent upon the Government of Bombay, and that the said Court shall be competent and effectual, and shall have full power and authority to hear and determine all suits and actions whatsoever against any of our said subjects, arising in territories subject to or dependent upon, or which hereafter shall be subject to or dependent upon the said Government, or within any of the dominions of the Native Princes of India in alliance with the said Government, or against any person or persons who, at the time when the cause of action shall have arisen, shall have been employed by, or shall have been, directly or indirectly, in the service of the said United Company, or any of the subjects of Us, Our heirs or successors; and the said Court, hereby established, shall have like power and authority to hear, try and determine all and all manner of civil suits and actions, which by the authority of any Act or Acts of Parliament, might have been heard, tried or determined by the said Mayor's Court at Bombay aforesaid, or which may now be heard, tried or determined by the said Court of the Recorder of Bombay; and all powers, authorities and jurisdictions, of what kind or nature soever, which, by any Act or Acts of Parliament, may be or are directed to be exercised by the said Mayor's Court, or by the said Court of the Recorder of Bombay, shall and may be as fully and effectually exercised  
“ by

“ by the said Supreme Court of Judicature at Bombay, as the same might have been  
 “ exercised and enjoyed by the said Mayor’s Court, or by the said Court of the  
 “ Recorder at Bombay.”

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It would be tedious to repeat the technical language of every section of the Charter regarding the jurisdiction. The next section to the one above quoted defines the jurisdiction as to the inhabitants of Bombay. All suits and actions brought against the inhabitants of Bombay to be determined by the Court; but in the cases of “ Mahometans or Gentoos,” their inheritance and succession to lands, rents and goods, and all matters of contract and dealing between party and party, to be determined by their respective laws and usages, or by such laws and usages as the same would have been determined by in a native Court; and when one of the parties shall be Mahometan or Gentoos, by the laws and usages of the defendant. In all suits to be determined by the laws and usages of the natives, the Court is to make such rules and orders for the conduct of the same, and to frame such process for the execution of judgments, sentences or decrees, as shall be most consonant to the religion and manners of the natives and their respective laws and usages. The same with regard to compelling the appearance of witnesses, and taking their examination, so that all suits may be conducted with as much ease and as little expense as shall be consistent with the attainment of substantial justice.

I will here pause to ask, if it was intended, as assumed by the Court at Bombay, to grant jurisdiction similar to that of the King’s Bench over all native subjects under the Bombay Government, why was the jurisdiction of the Court defined and limited? If it was intended that the native inhabitants of the whole territory should be liable to the jurisdiction, why were the native inhabitants of Bombay specified? When so much care was taken to secure to the native inhabitants of Bombay, made liable to the jurisdiction, the benefit of their laws and usages, why was not the same privilege specifically extended to the inhabitants of the provinces, if it was not clearly intended to exclude them from the jurisdiction?

The Charter contains other limitations and restrictions regarding the jurisdiction of the Court over natives.

It specifies that no person shall be subject to the jurisdiction of the Court by reason of being a land-holder or land-owner, or farmer of land or of land-rent, &c. &c. It is unnecessary to detail all the specifications.

It may be asked, why it has been thought necessary specifically to exempt those persons? The cause is, that when the Supreme Court was first established in Bengal, the Judges chose to consider the persons so described as subject to the jurisdiction, on the plea of being servants of the Company. In order to correct this error, and rectify the mischief which had arisen and was sure always to arise from it, the declaration for their exemption was passed by the Legislature, not to exempt them from a jurisdiction to which native subjects generally were liable, but to prevent their being subjected on an erroneous pretence to a jurisdiction from which native subjects generally were free.

The character of this exemption and the circumstances which led to it are strong corroborations of the general freedom of native subjects from the jurisdiction.

Further, care is taken in the Charter to prevent those who, by reason of being servants of the Company or of British subjects, are liable to the jurisdiction, from subjection to it

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in any unnecessary manner or degree. Thus natives of this class having been previously by specific enactment brought under the jurisdiction, are again exempted from it, except in special cases; it being provided that they "shall not become subject to the jurisdiction of the Court in any matter of inheritance or succession to goods or lands, or in any matter of dealing or contract between party and party, except in action for wrongs or trespasses only."

What has been extracted from the Charter is sufficient to show that only certain classes of native subjects are liable to the jurisdiction of the King's Court, and that for all who are liable, care is taken to secure the enjoyment of their own laws and usages.

Is it possible then to suppose, that by any part of the Charter it was intended to grant powers to the Court which should completely nullify all the limitations and restrictions specifically imposed, render nugatory the protection granted to native subjects, and overthrow or bring into contempt the whole system of civil and criminal jurisprudence established for the administration of justice to our native subjects beyond the limits of the Court's local jurisdiction?

To me it seems impossible that the Charter was ever designed to confer such powers; and this opinion is corroborated by the preamble to the Charter, wherein it is stated that the jurisdiction of the Court, both as to native and British subjects, is to be subject to the same limitations, restrictions and control as the Supreme Court at Fort William is subject to; which can only, I conceive, mean, that the limitations, restrictions and control subsequently specified, and similar to those previously established in the Court at Fort William, are to be valid and binding; for if they are not, of what use are they? Is it likely that His Majesty, from whose royal authority the Charter issues, under authority from the Legislature, would have treated the natives of India with tantalization and ridicule, by granting them protection against the Court in one part of the Charter, and rendering it utterly void in another?

I have perused the Charter with attention, and the impression which it leaves on my mind is, that all the powers which it grants are given both with reference to the limitations and restrictions that it specifies. But if the technical language of the Charter be unintelligible to an unlearned man; if there be a hidden meaning which the learned alone can apprehend, giving unlimited unrestricted power, notwithstanding all the limitations and restrictions specified, then I would observe, that the King's Charter can only give what is authorized by a previous enactment of the Legislature. Unless, therefore, the powers claimed by the Court at Bombay, under the supposition that they are granted by the Charter, are conferred by some act of the Legislature, they are illegal, and consequently null and void.

I do not mean to admit that powers really are granted by the Charters which are not confirmed by the Legislature; on the contrary, I maintain the reverse. But if it be asserted that the powers claimed are given by the Charters, still they are illegal, unless it can be shown that they are consistent with the statutes. No powers granted by the Charters can abolish the restrictions fixed by the Legislature.

Those powers do not appear to be granted by any Act. As far as the intention of the Legislature can be understood from the enactments bearing on this subject, the jurisdiction of

of the King's Courts with regard to native subjects is strictly limited to certain specific classes.

The Charter of the Court in Bengal grants jurisdiction similar to that of the King's Bench, as well as the Bombay Charter. The Bengal Charter is founded on the 13th Geo. III., ch. 63, sec. 13, &c., which says nothing of that peculiar jurisdiction, but limits and defines the powers of the Court as to native subjects.

But the Court having misunderstood and exceeded its powers with regard to natives, a new enactment took place in sec. 9, ch. 70, 21st Geo. III., for removing all doubts concerning the persons subject to the jurisdiction of the said Supreme Court, by which it was enacted that persons, by reason of being land-owners, land-holders, farmers of land or land-rent, and other classes specified, should not be subject, that is, should not on that account be considered as servants of the Company, on which ground they had before been made amenable by the Court.

The same Act specifically gives jurisdiction to the Court over all the inhabitants of the city of Calcutta.

The Acts and Charters establishing the Courts at Madras and Bombay are similar to those which relate to the Court of Calcutta, with some differences immaterial as to the question now under discussion.

From the preceding details it appears to me to be established, that the jurisdiction of the Courts is limited by specific restrictions, and that they do not possess any extraordinary extended jurisdiction independent of the limitations prescribed by the Legislature.

Since writing the preceding, I have seen extracts from the opinion on this subject delivered from the bench by the Judge who now singly presides in the Bombay Court.

If I understand that opinion accurately, the learned Judge maintains that all the limitations and restrictions of jurisdiction contained in the Charter refer solely to civil jurisdiction, and that the criminal jurisdiction of the King's Court extends universally over all the inhabitants of the territory subject to the Presidency to which the Court may belong.

This interpretation of the law, if correct, seems at least to be new, for it has generally been understood that the jurisdiction of the Court in criminal matters is restricted with regard to natives; and the extension of the powers of the Court beyond its local limits, whenever so extended with regard to natives, has hitherto been defended on some plea that sought to bring them within the limitation of the jurisdiction.

It appears to me that that part of the Charter in which the jurisdiction of the Court is expressly defined, under this heading, "Jurisdiction of the Court defined," does not define the limitations and restrictions of the jurisdiction with regard to civil jurisdiction alone, but generally with regard to jurisdiction criminal as well as civil. After saying generally that the jurisdiction, powers and authorities of the Court shall extend to all British subjects, it proceeds to give power to hear and determine all suits and actions whatsoever, (therein, I presume, including criminal actions), against British subjects and natives in the service of the Company. It goes on to give power to hear, try and determine all civil actions (herein excluding all criminal actions) which might before have been tried by the Mayor's Court or Recorder's Court; it next confers all powers, authorities and jurisdictions formerly exercised by those Courts; and then gives power to hear and determine



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determine all suits and actions (including, I presume, criminal) against the inhabitants of Bombay.

It also appears in another part of the Charter, that the criminal jurisdiction of the Court is expressly limited to the "town and island of Bombay, and the limits thereof, and the factories subordinate thereto;" which criminal jurisdiction is specially extended, as respects British subjects, to acts committed either in the territories of Bombay or in the dominions of allied Native Princes; and this specific extension of it to British subjects beyond the local limits, seems clearly to exclude natives not within those limits. Such also has been the practical operation of the criminal jurisdiction of the Court hitherto.

If the judgment of the Judge at Bombay be right, all practice hitherto has been wrong; and it becomes the more necessary for the Legislature to determine what really is right. We cannot, in justice to our native subjects, leave them liable to two independent jurisdictions, or ignorant of what jurisdiction they are amenable to.

It is curious to observe how this claim to universal criminal jurisdiction has commenced its operation; the Judge who asserts it admitting at the same time that the civil jurisdiction of the Court, with regard to natives, is limited. The operation of this claimed criminal jurisdiction, is to drag a ward from the protection or control of his guardian, and bring the ward and his affairs into Court. There is not an estate belonging to any minor, throughout all India, that might not, by this sort of criminal jurisdiction, be swallowed up by the officers and practitioners of the King's Court.

Enough, I trust, has been said to show that we are bound in duty to give to our native Indian subjects greater certainty as to the jurisdiction to which they are amenable, and greater security against liability to two independent jurisdictions, than they now enjoy.

With a view to promote this object, I shall proceed to submit for consideration two schemes for the regulation of the jurisdiction of the King's Courts in India; one to explain and define it, under a supposition that the Legislature has always regarded the King's Courts as having general jurisdiction, with regard to British subjects, but with regard to natives, a jurisdiction limited according to classes and locality; the other to amalgamate the King's Courts with the Provincial Courts of Judicature, in the case of its being deemed expedient to abolish the existence of separate and independent jurisdictions for different classes of subjects.

With reference to the first of these suppositions, the jurisdiction of the King's Court regarding British subjects, as at present understood, does not absolutely need alteration. They are liable universally to both civil and criminal jurisdiction. Only, as to acts committed in the territories of Native Princes, it ought to be declared, in order to prevent the recurrence of such a claim as was once set up by the Madras Court, that the Courts "have no legal authority to cause writs or process of any kind, issued against "European-born British subjects, or natives of the British territories in the service of the "East-India Company, to be executed by arrest of persons, seizure of property, or any "other compulsory method within the dominions of Native Princes in alliance with the "British Government in India" This was the opinion given by His Majesty's Attorney General (the late Lord Gifford), His Majesty's Solicitor General (the present Lord Chancellor),

Chancellor), and the Honourable Company's Solicitor, Mr. Bosanquet, when called on in consequence of the Madras Court.

The jurisdiction as to natives in the Company's service seems sufficiently defined, and may remain as it is. It is hard on natives in the Company's service, that they should be amenable to two independent jurisdictions, and not obviously necessary; but as the Legislature has declared them to be subject to the jurisdiction of the King's Court, under certain limitations as to civil suits, the case is clear, and the exercise of the power is not open to dispute.

With respect also to natives in civil actions, regarding transactions in which they have bound themselves to be amenable to the Court, there is no room to doubt.

But it will be necessary to define more clearly the jurisdiction over the natives, inhabitants of Calcutta, Madras and Bombay, that is, over natives residing within the limits of the local jurisdiction of the Court at each Presidency.

Actual inhabitants within those limits must of course be considered fully amenable in both civil and criminal matters, with the privileges nevertheless, as to their own laws and usages, provided by the enactments of the Legislature and the Charters of the Courts.

Persons residing elsewhere, who may formerly have resided within the local limits, must be amenable for acts committed during their residence within the limits, but ought not to be so for acts committed within the jurisdiction of the Provincial Courts, or elsewhere beyond the limits of the Royal Court's jurisdiction.

Persons who have never resided within the limits ought not to be liable to arrest, nor generally amenable to the Court's jurisdiction, on the plea of being inhabitants, on account of transactions of a pecuniary nature within the limits in which they may be said to have been concerned. Nevertheless, for pecuniary transactions on their behalf within the limits, any property within the limits, which such persons may possess, ought to be liable; due notice being given of any suit, in order that the party concerned may answer to it at his option, or allow it to be decided on the evidence of the plaintiff. But property beyond the limits ought not, I conceive, in such cases to be liable to the Court's jurisdiction; it being, nevertheless, liable to the jurisdiction of the provinces in which it may be situated, for transactions within the jurisdiction of the King's Court.

The liability of persons and property, with respect to jurisdiction, ought generally, I conceive, to be determined by residence and locality. The course sometimes pursued by the King's Court would set such a consideration at defiance. We have seen, as before mentioned, a man arrested as an inhabitant of Calcutta, at a distance of seven or eight hundred miles, who never, perhaps, had been much nearer, and certainly never had been an inhabitant, for a matter of some curiosity sent to him from Calcutta by the party who caused and superintended his arrest, on the plea that he was an inhabitant of Calcutta, in consequence of having property, and employing agents in commercial dealings. It seems absolutely necessary that our native subjects should be protected against such proceedings; for which purpose I have proposed the restrictions above stated.

With respect to the property of persons, British subjects or others, by law fully amenable to the King's Court, their property, wherever situated within the British territories, must, I conclude, be liable; but the process of the Court regarding such property ought not

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not to be executed by its own officers, but by the local Magistrate ; and rules ought to be made to preclude the officers of the King's Court from proceeding beyond its local limits, and to make the local Magistrates its instruments for carrying into effect its lawful orders, regarding persons or property liable to its jurisdiction, although residing or situated beyond the local limits thereof. The sending of the officers of the King's Court into districts where there is another jurisdiction, is useless in itself, and attended with considerable inconvenience and mischief, by causing the appearance of a double jurisdiction.

No native ought to be dragged from a distance to show whether he is or is not liable to the jurisdiction of the King's Court. It is a grievous oppression that persons not subject to the jurisdiction may be arrested and brought before the Court from any distance, before they can show that they are not amenable. This evil might be remedied by making the local Magistrate in each district the channel of executing the Court's writs, and by giving him power to submit the excuses of any native denying the jurisdiction, and to try and report on the question of jurisdiction on the spot, under the Court's orders, abiding, nevertheless, by the Court's decision on his report.

The decrees or writs of the King's Court ought not, beyond its own local jurisdiction, to interfere with the previous decrees of the Provincial or District Court of any other local jurisdiction ; as such interference must have the effect of bringing the local jurisdiction, and the authority from which it emanates, into contempt. Of course, no decrees of the local jurisdiction can set aside those of the King's Court previously issued, if directed against persons legally amenable.

It ought to be the duty of local authorities to bring to the notice of Government any instance within their jurisdictions of act of encroachment by the King's Court beyond its known and acknowledged powers. The Government, if it entertain the same opinion, ought to have the power of calling the attention of the King's Court to the subject, either through the Advocate General or some other channel. The Court ought to be bound to listen to the reference, and explain the grounds of its proceedings ; and if the Government should notwithstanding remain convinced of the illegality of the supposed extension of the Court's powers, it ought to have the right to appeal to the King in Council, or other competent tribunal, and in a case which it may judge to be of sufficient importance, the power of arresting the progress of the encroachment pending the result of the appeal.

The powers recently claimed by the King's Court at Bombay, but more generally supposed not to have been intended by the Legislature, ought to be distinctly denied, and a clear definition made of all the powers to be exercised and enjoyed by the King's Court.

The rules and provisions herein proposed, would, I trust, afford that protection to our native subjects which we are bound to give them against uncertainty of jurisdiction and undefined extension of the powers of Courts to which they are not supposed to be amenable.

There is another portion of our subjects, partly of European and partly of Asiatic extraction, commonly called East-Indians, whose situation is peculiar. The law regards them

them as natives; but in religion, education, language and habits, they assimilate with British subjects.

At present the East-Indians are, as natives, subject to the jurisdiction within the limits of which they reside. With regard to civil suits and minor criminal offences, not subject to severe or lengthened punishment, this arrangement seems unobjectionable; but with regard to capital crimes, or such as are liable to exemplary punishment, I am of opinion that they ought to be put on the same footing as British subjects; and to prevent confusion, this might be done generally as to criminal jurisdiction.

The criminal law in force in our provincial judicature, although modified by our regulations, is mainly Mahometan. That Christian Judges should try Hindoo prisoners according to Mahometan law, seems sufficiently absurd; but that Christian Judges of British blood should try Christians of British extraction by Mahometan law, seems, if possible, still more strange; and therefore I think that it would be better if East-Indians, as to criminal jurisdiction, were put on the footing of British subjects.

I am also of opinion, that for property situated beyond the limits of the local jurisdiction of the King's Court, British subjects ought to be liable in civil suits to the jurisdiction of the Courts of Judicature established in the provinces, with regard to transactions committed within that jurisdiction, without any impediment to their full subjection to the jurisdiction of the King's Court. In other words, that all property and transactions should be liable to the jurisdiction within which they may be situated or performed.

I have said all that at present occurs to me, regarding the regulations of that state of jurisdiction in India, as to the King's Courts, which is at present supposed to exist, according to the provisions of the Legislature. I now proceed to advert to the supposition of a change, by which the judicature of India, instead of being divided into separate and independent jurisdictions, might be amalgamated in one.

Such a change, when judged fit, it will be best to introduce gradually.

The connexion between the two jurisdictions might in the first instance be established by making His Majesty's Supreme Court at each Presidency the highest Court in civil and criminal judicature for all the territories of such Presidency; that is, what the Sudder Dowanny and Nizamut Adawlut is now.

In that case, the Sudder Adawlut at each Presidency might be abolished; and its judicial duties transferred to the Supreme Court, with such modifications as might be requisite.

It would then be proper that the selection of Judges for the Supreme Court should be partly, as at present, from barristers of the English, Irish, or Indian bar, and partly from Judges practised in the judicature of India, and acquainted with the language, laws, and usages of the natives.

It is surprising that a knowledge of any language spoken by the natives has never been considered a necessary qualification for a Judge on the bench of a King's Court in India. There has consequently scarcely ever been an instance of its being in the power of a Judge to understand what is said by the native witnesses and prisoners; and this defect generally extends to the barristers and officers of the Court, as well as to the Judges.

Supposing a Supreme Court to be constituted as above suggested, much of the duties

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which the King's Court has now to perform, might be transferred to an inferior Court at each Presidency, the more important duties being retained in the Supreme Court.

The jurisdiction and powers of the Supreme Court might be exercised every where through local Courts and authorities.

At first the local Courts would have no more power or jurisdiction over British subjects than they possess at present; but as occasion might arise, from time to time, for extending their powers, authority ought to be vested in the Supreme Government in concert with the Supreme Court, under the control of the Legislature, for conferring such powers as might be necessary for the due administration of justice, and for modifying and regulating the jurisdiction, practice and proceedings of these Courts, as might be most expedient, securing to British subjects, as much as possible, the enjoyment of their own laws, and always the right of trial by jury in criminal cases, and extending the same right to native subjects as soon as it could be done with the prospect of benefit; securing to them also their own laws and usages; and when, in contention between two parties of different persuasions, any doubtful point should turn on the difference of laws, the preference might be given to those of the defendant.

It would be presumptuous in me to attempt to describe all the subsidiary alterations that might, in process of time, follow the change proposed. All that I aim at is, to convey the impression that such a change, if ever deemed desirable, might be effected by a gradual introduction of improvement, without the convulsive destruction of that system of judicature to which our native subjects are accustomed.

I proposed to record this Minute in the Secret Department, on account of the delicate nature of the discussion which it embraces.

Its main purpose is to invite attention to the necessity of defining distinctly the powers to be exercised by the King's Courts with regard to native subjects, and of vesting in some authority in India, power to prevent the occurrence or stop the progress of any dispute, on a doubtful question, between the Governments and the Courts at the several Presidencies, pending a reference to England for final decision.

(Signed) C. T. METCALFE.

15 April 1829.

No. 9.

(Secret Department.)

MINUTE by Sir C. T. Metcalfe; dated 2 May 1829.

Sir C. T. Metcalfe's Minute. THE immediate cause of the difference between the Government of Bombay and His Majesty's Court of Judicature at that Presidency has been the issuing of certain writs of *habeas corpus*.

The writ in one case was addressed to persons in the service of the Company, and therefore subject to the Court's jurisdiction. In another case to a native, not liable to the jurisdiction, according to the belief hitherto generally entertained.

This difference between the writs has not influenced the proceedings either of the Government or of the Court of Bombay.

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The Government has rested its opposition on political grounds, without reference to the comparative legality of the Court's proceedings in the two cases.

The Court, on the other hand, has declared that it derives its power equally, in both cases, from the same clause of its Charter, and that if it does not possess the power in both cases, it does not in either.

To those, however, who believe that the grant of the powers of the Court of King's Bench is with reference to the limitations imposed on jurisdiction, and not independent thereof, there must appear a considerable difference between the two writs.

In this view of the case, a writ of *habeas corpus*, addressed to any person, native or European, in the Company's service, must seem to be legal, and within the competence of the Court, however inconvenient and mischievous its operation may be, while a similar writ addressed to a native not subject to the ordinary jurisdiction must be considered illegal, and of course beyond the Court's power.

With regard to the last species of jurisdiction claimed now, it is supposed for the first time, I have ventured before to observe, that its existence is incompatible with the preservation of that separate jurisdiction of the Company's Courts which has hitherto prevailed without question, and that it would be extremely unjust to subject the natives to two jurisdictions and two codes of laws. Unless, therefore, it be intended to establish the King's Court universally and exclusively, the extended jurisdiction now asserted ought to be prohibited by the Legislature.

My present object in adding a few remarks to my former Minute, is to bring under consideration the necessity of regulating the exercise of the power supposed to reside in the King's Courts, of issuing writs of *habeas corpus* addressed to persons liable to the jurisdiction, when that power is exercised in behalf of the convicts duly tried and condemned in the Company's Courts, or of state prisoners detained for the public safety.

The Legislature cannot have intended that the King's Courts should throw open all the provincial gaols, and release all the prisoners sentenced by the Company's Courts; and it is quite clear that the exercise of such a power would effectually destroy good order in the Company's territories, and render its Courts utterly useless and contemptible.

Admitting that the King's Courts do possess the power of issuing writs of *habeas corpus* to persons liable to their jurisdiction, as no provision has been made for securing the jurisdiction of the Company's Courts against violation by that process, it is fair to conclude, that the possibility of such a collision has been overlooked by the Legislature.

The proceedings of His Majesty's Court of Bombay have now shown that it is necessary to guard against this evil.

The remedy is simple and easy. It is only necessary to declare on the part of the Legislature, that a statement describing the prisoners as duly convicted after trial, or as detained for trial by the Court to whose jurisdiction they are liable, shall be good and sufficient return to a writ issued under such circumstances.

The same power which the Court at Bombay has exercised with regard to convicted criminals might be assumed; I know nothing to prevent it with respect to state prisoners;

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yet it is impossible that the Government, responsible for the public safety, could allow its state prisoners to be released. Supposing, therefore, a writ to be issued for bringing up the body of a state prisoner, a statement setting forth that he is confined as a state prisoner by order of the Government ought to be declared a sufficient return; and unless this be done, it seems most probable that a dispute will some day break out between the Government and the Court in consequence of a writ of *habeas corpus* to release a state prisoner.

This is a method recently brought to notice, by which the jurisdiction of the King's Courts is extended, contrary to the evident intentions of the Legislature, and with grievous injury to the native subjects not properly liable to their jurisdiction.

It consists in this: if a native succeeds to property within the Court's jurisdiction, to which he has never before been liable, he must take out a probate from the Court in order to enable him to obtain possession. So far is unobjectionable; but by so doing, he is made liable to the Court's jurisdiction, not with regard to that property alone, which would be right and just, but with regard to all property, wherever situated, although many hundred miles beyond the Court's jurisdiction.

This is the law as laid down by the Court at Madras.

The story of the Nawaub of Masulipatam is a sample of its practical effect. The Nawaub of Masulipatam and his family, residing 200 miles or more from Madras, were exempt from the jurisdiction of the King's Court. The old Nawaub died, leaving, besides his property situated beyond the Court's jurisdiction, a sum in the Company's Funds, which being within the jurisdiction could not be paid to any of his heirs without probate from the Court. This was taken out by the eldest son, the present Nawaub, who in consequence became fully liable to the jurisdiction. Various suits have been entered against him. They are not determined; but he is already ruined, and unable to pay the expenses of a tribunal into which he has been dragged without being conscious of his liability.

It is thus that the extension of the jurisdiction of the King's Court in India goes on increasing by the mere will of the Judges, without regard to the right and interests of our native subjects, whom it was manifestly the intention of the Legislature to exempt from that jurisdiction.

The remedy in cases of this kind seems obvious, and without difficulty. It is only to declare by a legislative enactment, that native subjects not liable to the jurisdiction of the King's Court, shall not become so in consequence of taking out a probate, except for that property alone for which they have recourse unavoidably to the Court's jurisdiction.

2 May 1829.

(Signed) C. T. METCALFE.

No. 10.

NOTE by Mr. Holt Mackenzie.

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THE apprehensions of inconvenience from the interference of the Supreme Court with landed property in the interior of the country, seem to me to be somewhat exaggerated; and in the cases which have occurred, the trouble experienced would, I think, have been for the most part avoided, had the officers concerned possessed the information which a short experience will doubtless give. Still it seems to be certain, that without a complete and well-regulated concurrence of the two authorities, considerable inconvenience may be experienced; and if our officers have much to amend before their proceedings can secure the approval of men accustomed to the law of England, or can satisfy the just expectations of the people of India, it seems to be almost equally certain, that the King's Courts must be prepared to modify their forms and process with a liberal consideration of local peculiarities, if they would really render the extension of their jurisdiction a benefit to the country. Indeed, even in England the necessity of pretty extensive changes seems now to be generally recognized; and here we have of course none of those prepossessions in favour of the institutions of our country, which may there render it unadvisable to discard ancient usages, even when opposed to reason. We may be pretty sure that the prejudices of the people against any rules borrowed from the English code (if I may use a word which rather reminds us of what we have not, than describes what we have), will be vanquished with facility in proportion as that which we desire to introduce bears the character of simplicity and truth.

The time seems to be favourable for the attempt to amend what is inconvenient, to remove what is dangerous, and to reconcile what is discordant; since the Parliament of England must be prepared for change, and the Bench is so filled as to give the best promise that all necessary and expedient changes will be ably and cordially promoted.

I understand it to be clear, that the Supreme Court has jurisdiction over immoveable property in the interior of the country, in all cases in which the possessor of such property is personally subject to its jurisdiction. Its interference with such property is therefore likely to be considerably more extensive hereafter than it has been hitherto.

Let us then see how it will operate: First, as to land charged with a land revenue, or rent to Government.

Such land is liable to sale by the Revenue authorities, on any failure to pay the assessed revenue with punctuality. The holders of it are subject to various rules in regard to the appointment of the inferior agents of police, and of certain village officers of account. They are bound to render information on various occasions; they are required to aid in furnishing supplies to troops, and are liable to fines in default. Every zemindaree, or other fiscal division, for the rent or revenue of which a separate contract was entered into at the time of the permanent settlement, continues to be responsible for the whole of such revenue, until a regular division and apportionment are made, according to prescribed forms; provision being at the same time made to secure persons who have applied to have separate possession of their shares, from suffering by the default of their co-sharers pending the process of partition.

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Where distinct parcels of a property thus held of Government under a single lease are transferred, whether by decree of Court or by the act of individuals, the thing to be done is merely to determine what share of the aggregate sum annually payable to Government shall be charged to each parcel. Where the property of the co-sharers is joint, a partition involves the double process of distributing the parcels of land, and apportioning to each its due share of the Revenue with which the whole is burthened.

In all cases the decision of the question how the Government demand shall be apportioned, rests with the Revenue authorities; the reservation forming in the Lower Provinces a condition of the permanent settlement under which the Government compounded for its right of levying, as rent or revenue, a certain portion of the produce of every boegah not especially exempted. The law proceeds on the assumption that the interests of Government require the reserved revenue or rent to be equally apportioned, and that the Revenue authorities are best able to effect the object. And as the Courts of Adawlut had originally no jurisdiction in the matter of assessment, so they are still barred from taking cognizance of any question touching the apportionment of the assessed demand, to the several parcels into which a joint estate may be divided, or to each of several estates which by the permanent settlement were made subject to a common rent, but for which distinct engagements are now desired.

(A.)\*

It appears to be essential, that the officers of the Supreme Court, or the Receivers appointed by it, should attend to the above particulars.

There is otherwise considerable danger that the practical effect of orders intended to secure equal advantages to litigants may operate very differently, and that misapprehensions of our system may induce the penalty of public sale, to the great loss of the individuals whose interests it is desired to guard. For I do not suppose that any proceeding of the Supreme Court, or any other Court, in suits between individuals, can affect the process prescribed by Government for the realization of its reserved Revenue. And though the difficulties in which families are sometimes involved on the demise of their head, or by the dissensions of their members, ought not to be overlooked by our officers, even when the Government demand may be most light, still the exigencies of the public service must not be neglected.

I am not sure how far the subordinate tenantry are affected, when the owner of landed property in the interior becomes a ward of the Supreme Court, when a receiver is appointed, or when such property is sequestered, or any process had implying the actual transfer of possession; but I presume that the Master in Equity, as well as persons (Natives or Europeans) acting under his authority, are only subject to the jurisdiction of the Court whose officer he is.† And possibly in all cases in which the process

\* These Letters are referred to by Mr. Ross.

† The under-written opinion of Mr. Strettell (if I understand it rightly) seems to convey this:—

*The Master in Chancery is only amenable to the Supreme Court for acts done by his order by farmers and agents in charge of the lands of wards of the Supreme Court. Such farmers and agents are, however, liable to the jurisdiction of the Mofussil Courts,*

*Mr. Lewin is not in any manner subject to the jurisdiction of your Court, and cannot be proceeded against in it. I shewed the Petition to him, and he says he knows nothing about the transaction, and supposes it arises from some misconduct of the persons complained against, or their Master.*

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process goes actually to give or disturb possession, the Court would claim jurisdiction over those whom it must regard as the tenants of the parties whose interests have been adjudged by it. Now, when we consider how hopeless it must be for a set of poor and ignorant cultivators to seek redress in that tribunal, the inconvenience of such a state of things must be admitted to be no slight evil. Still more if we recollect, that of the tenantry of a zemindar a great proportion will be found holding, not in virtue of any contract with that person, but by a tenure independent of his will, subject to the payment merely of the revenue, which, but for its settlement, the Government would have been entitled to demand, and that consisting in many cases of a fixed money-rate, and still leaving to the cultivator a property more valuable than that of his superior. It seems to be a cruel injustice upon such persons, that any act or incident done by or affecting the man who happens to farm the revenue payable by them, though under a perpetual lease, should operate to deprive them, without their consent, of recourse for redress to the Court of this district.

Then, if it be lawful for our Country Courts to give to *A.*, in a suit with *B.*, property which the Supreme Court has given to *C.*, in a contest with *D.*, the poor ryots may, without a clear understanding between the tribunals, be subjected to two task-masters.

Lands exempted from the payment of Revenue are free from those causes of embarrassment which have their source in the rules prescribed for the security and punctual realization of the assessed demand of Government. But in other respects the same difficulties arise. And further, the question may occur, how, when such lands are occupied by an officer of the Supreme Court, or by a receiver appointed by it, the eventual claims of Government to the alienated revenue, supposing the title of exemption invalid, are to be determined. So also as to the assessment of lands held under temporary settlements by the owners.

The simplest preventative and remedy of the inconvenience to be apprehended from the above causes, would seem to be the following. In all cases in which the Supreme Court assume the management of any landed property in the interior through the Master or other officer, or constitute a receiver of the rents of such property, the Collector of the district should be appointed to that office; and besides being answerable to the Supreme Court, he should likewise be subject to the local tribunals, in the same way as he would be if ordered to attach an estate by any of the Adawlut<sup>s</sup>. \* If thought advisable, the appeal may in such cases lie to the Supreme Court; for of the appellate jurisdiction of that Court, whether over Judges or Magistrates, or of the exercise of its powers in controlling and directing the European officers of Government, there is not, I think, any reasonable ground for jealousy. For one, at least, I should be glad to see their authority

(B.)

*Courts, unless they can prove an authority from the Master.*

21st Dec. 1812.

STRETTELL.

If they cannot shew a proper authority for what they have done, they will of course be liable to your Court's decision against them; but if an authority from Mr. Lewin should appear, I think the application should be against him in the Supreme Court.

\* Though managing the estate, he might, of course, if thought necessary, account for and remit the rents to the Master, or any Receiver appointed by the Court.

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rity in such cases more frequently and extensively brought into action, though I might add the condition, that their process should be made simpler and less expensive; and I have little doubt that our judicial tribunals might be very much improved by placing the Supreme Court at their head, under laws which should combine the whole into one harmonious system.

In cases in which the Supreme Court may actually give possession to any individual, all that seems to be necessary is, that in respect to all suits by or against persons, other than the party against whom the process of that Court may have issued, or the agents or assignees of such party, the individual put in possession shall stand on the same footing as if he had acquired possession by a decree of the Adawlut; barring, of course, any questions touching the force of the Supreme Court's judgment or order in respect to the parties named in their writ.

The defect of the provision contained in the 107th section of the 53d of the late King, c. 155, which appears to have been held not to permit one British-born subject to be impleaded by another in the Country Courts, and under which it seems to be doubtful whether an executor is subject to the jurisdiction of these Courts, except for his own contracts, ought to be amended.

As to possible collision between the Courts in cases in which they have concurrent jurisdiction, I do not think the danger of serious evil is very great. Still it does seem to be a source of inconvenience that should be shut. But this can apparently be effected only in one of two ways. Either the Supreme Court should (which will never be) cease to have jurisdiction over immovable property in the interior, or, instead of standing, as it now does, alone, it must be made part of the general scheme for the administration of the judicial business of the country.

How the last alternative is best to be carried into effect, it would be impertinent in me to attempt to decide. My thoughts on the subject must necessarily be vague and little worth. But it may help to an understanding of the thing if I briefly put the cases that have occurred to me.

It has happened that opposite decisions have been passed by the Supreme Court and by the Sudder Dewanny Adawlut, regarding different portions of the same estate on grounds equally applicable to all. In the case I have immediately in view there was no collision, and it happened that the value of the thing in contest was such as to give an appeal from the judgment of both Courts to the King in Council. Even in such a case, however, it is rather discreditable, considering especially the fearful delay that seems to attend appeals to England, to have the highest tribunals of the country placed in such a predicament. The strength of our Government resting so much on our real or supposed concord, nothing is more to be deprecated than even the appearance of dissension. And it should be observed, that the circumstance of there being an appeal to England was accidental.

I see a case mentioned, in which a British subject, *A.*, having got possession of part of an estate, while a native, *B.*, had seized the rest; the former was impleaded by the latter in the Supreme Court, the latter by the former in the Zillah Court, each in his own forum, without any assurance of consistency of decision.

The next case that occurs to me was that of a person holding possession under a decree  
of

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of the Zillah Court being ousted by an order of the Supreme Court passed *ex parte*; the possessor having failed to appear and plead the decree under which he held.

We lately saw a case in which a native of rank would, but for the illegal interference of the local officers, have been dragged nearly a thousand miles down to Calcutta, to contest a demand of an inconsiderable sum of money, which, if due, could easily have been recovered on the spot, and for which security ten times over would readily have been given.

The jurisdiction asserted by the Bombay Court appears to leave little exempt from it.

It seems to be somewhat questionable whether false swearing in the Sudder Dewanny and Nizamut Adawlut would be punishable as perjury by the Supreme Court; and it seems to be clear that oaths are frequently taken judicially, and on the most material points at issue, which would not be punished.

The power given to the Sudder Court of enforcing process within the limits of Calcutta has, in numerous cases, been found to be insufficient.

The criminal jurisdiction of the Country Courts over British subjects being confined to cases of assault and trespass, is manifestly inadequate to the exigencies that must arise under an extended resort of British subjects to the interior, to say nothing of difficulties arising out of the mere wording of the provisions applicable to the case.

(F.)

In the distant provinces many offences indeed must remain unpunished, rather than the offenders, the complainants, and the witnesses, be transmitted many hundred miles to an uncongenial climate; and Justices of the Peace, who as zillah or city Magistrates exercise all their powers under the control of the Circuit Judges, are, in that capacity, freed from any control but that of the Supreme Court.

Now, as to persons, supposing the Supreme Court to retain its original cognizance of all suits now cognizable by it, would it not be practicable to define its jurisdiction by a system of registry, partly imperative, partly optional, so that every one should know precisely whether he stood in that predicament; and that the Judges and officers of the Supreme Court might likewise know whether their writs could properly be issued against the parties named in them?

If this cannot be done, may not our Mofussil Courts be most advantageously employed by the Supreme Court as Commissioners of Inquiry and Mesne Process and Execution, with the power of investigating the facts necessary to determine the point (it would be no serious evil if now and then the jurisdiction were disallowed erroneously), and with authority to take bail, and to do all that is necessary to insure an appearance, and the execution of the ultimate decree?

To a native, ignorant of our ways, filled possibly with groundless terrors of a strange tribunal (let us not flatter ourselves that there is no reason for so general a dread), justly alarmed at the prospect of being transported to a country of which the people are hateful, the climate noxious, the food unwholesome, the very water tainted (so Bengal presents itself to many of the inhabitants of Hindoostan), it is no small evil that the question of jurisdiction cannot be determined by some such process, and that he is liable to be suddenly called to answer in a distant tribunal, of whose existence he may then first have heard, and whose process is full of mystery and affright. Might not the

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Magistrate of each city or zillah be the Sheriff of the same, with enlarged powers and discretion, if we must have a Sheriff?

Without some such scheme, it seems to be impossible but that natives must be frequently surprised, and the process of the Supreme Court may, through the chicanery of the Bengalese, be rendered a source of intolerable oppression.

It seems to me, that in all cases wherein the party impleaded may not be an European-born British subject or a settled resident of Calcutta (these classes could easily be defined), the question of jurisdiction should be taken up by the Court without any pleading of the party; he being, of course, still at liberty to plead that process should not issue out of Calcutta, unless the plaintiff's evidence (supposing it not to be contradicted) establish the fact, and that when issued it should be directed to the Judge or Magistrate of the district empowered as above to take security under the directions of the Supreme Court.

(H.) In suits for land, all process should, I think, be served through the local Courts, who might, perhaps with advantage, be required to make a return of any decrees or orders that might have been passed relative to the property in contest, touching either the complainant or defendant. Nothing is to be watched so jealously as *ex parte* decisions; for it seems to be certain, that in this country it will never do for Justice blindly to hold the scales, in the confidence that each party will throw into them every thing that can weigh in his favour.

Such a principle may be safe and wise in England, because we have there freedom and knowledge, community of language, publicity of proceedings, the fellowship of man with man, the thousand social ties that link a population accustomed to self-government, and knit together by the institutions through which the work of government is done; but if laws written in monkish Latin or barbarous French were administered to Saxon serfs by their Norman conquerors, nay, where an English Court is carried among Highlanders, or Irishmen, Judges must, I apprehend, have all their eyes about them, unless they be content that the forms of law shall cover the most shocking injustice.

(I.) In cases where there is a concurrent jurisdiction, would it be impossible or difficult to constitute a special Court or Chamber for the final decision of them, subject, if thought proper, to an appeal to England? Might not two Sudder Judges be in such case associated with the Supreme Court? or might the Chief Justice and one of the Puisne Judges of that Court, with a single Judge of the Sudder, constitute a suitable tribunal, using in all cases, at least as extensively as possible, the District Court for the first trial of the points at issue?

We should thus apparently guard against collision and contradiction; we should unite the local knowledge of our service with the legal wisdom of the King's Judges. The latter might gain something in the way of information; the former could not fail to derive much valuable instruction.

(K.) As to the punishment of offences committed by British subjects in the interior of the country, the main difficulty probably would be the reluctance of our countrymen here and at home to give up the privilege of trial by jury. It would not however, I imagine, be very difficult to constitute a Jury, say of four or five persons, at each of the principal towns (Meerut, Dehli, Agra, Furruckabad, Bareilly, Allahabad, Benares, Patna, Moorshedabad,

shedabad, Dacca, Chittagong), and three Judges or Justices of the Peace might assemble to hold the Sessions.

To that Sessions there might lie an appeal from sentences passed by single Justices of Peace, and in the most serious cases there might be an appeal from the Sessions to the Supreme Court; that Court, with or without a Jury, to be vested with the power of confirming or reversing convictions, and in the case of acquittals, of annulling the proceeding of the Sessions, and either ordering a new trial, or directing the parties to be sent for trial to Calcutta.

I suppose there would be little difficulty in obtaining from Parliament authority for the Governor-General in Council, with the concurrence of the Supreme Court, to make the necessary provisions for the enforcement of the process of all our Courts in Calcutta or elsewhere, and for enabling all Boards and Commissions acting judicially under the warrant of the Government, in cases within their competence, to restrain contempts by moderate fines, and to bring to punishment, by indictment in the Supreme Court, persons guilty of swearing falsely before them to matters essential to the issue of the cases so investigated by them.

Whether Parliament would consent to give to Government a general power of legislation, is more doubtful; yet assuredly it is a little unreasonable that the Government should possess and exercise so large a power of legislating for many millions of natives (I do not deny that the function is somewhat too easily exercised), and that so much difficulty should exist in providing the laws necessary for the small number of British-born subjects resident in India, and the comparatively limited population of Calcutta.

(L.)

It would not, I think, be difficult to constitute a suitable legislative council, if it be not thought right to give the power to Government. A veto, I suppose, will at once be allowed to the Governor-General. In such a council the Judges of the Supreme Court ought surely to take part; for their co-operation would in many respects be eminently useful; and it does not appear to me that any of the reasons which may be urged against the union of judicial and legislative powers, possess much force under the actual circumstances of this country.

But I have already written more than enough in a paper, of which the object is to bring out the points requiring to be settled, rather than to attempt to describe the means of settling them. I shall only therefore observe generally, that the number \* and nature of questions

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\* See especially Correspondence regarding the Mutiny Act, the Navigation Laws, the Slave Trade Act, the Revenue Powers of Government, the Marriage Act, and I might, I believe, say every Act relating to the country.

The following points requiring to be settled occur to me, in addition to what I have above stated; many others might, I imagine, be added:—Relation of the Government to the foreign Settlements in peace, or when captured in war; Law of Inheritance for country-born Christians of various parentage; Modification of Hindoo and Moslem Laws, as applicable to Calcutta; Recovery of small Debts from European British subjects living in the Mofussil, within ten miles of Calcutta; Nature of the interest possessed by British subjects in various kinds of immovable property; Administration to Estates of Hindoos and Moslems residing in Calcutta; Execution of decrees passed by the Country Courts, and of Process generally within Calcutta; Exemplification of ditto; Enforcement of Security Bonds and the like, given by British-born subjects in suits before the Country Courts; Examination of Witnesses at a distance, on the principles of 13 Geo. III., c. 63, s. 40, &c.; 24 Geo. III., c. 25, s. 78.

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questions which have arisen out of the parliamentary provisions relating to this country, and the doubts and difficulties which have practically embarrassed the Government, are such as appear conclusively to show the necessity of there being vested in some local authority legislative powers similar to those enjoyed in many of the Colonies. In truth, perhaps no appeal to facts can in such a case be necessary. It is enough to observe, that even in cases in which Parliament legislates with the fullest information, almost every new provision induces the necessity of some fresh enactment to amend or explain, to admit, that in relation to this country it must generally proceed on very imperfect information, and to recollect the distance and delay that impede the correction of what is wrong, or the explanation of what is doubtful.

(Signed) HOLT MACKENZIE.

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No. 11.

NOTE by Mr. W. H. Macnaghten ; dated 9 April 1829.

Mr. Macnaghten's  
Note.

I HAVE read with much attention Mr. Mackenzie's Minute relative to the jurisdiction of the King's and Company's Courts. The question now under the consideration of Government originated, I believe, in the appointment by the Supreme Court of a Receiver to a portion of an estate situated in Nuddea, and other districts, which portion had been decreed by that authority to be the property of two individuals, one of whom is a minor. The Receiver so appointed was an European British subject ; and the Judge of Nuddea, entertaining doubts as to the legality of the appointment, referred the question to the Sudder Dewanny Adawlut, by which Court it was submitted to Government. The Governor-General in Council having determined the rule which restricts Europeans from holding lands or managing estates in the Mofussil, ought not to be considered applicable to a Receiver appointed by the Supreme Court, the original question is set at rest ; but others have arisen out of it which have been discussed by Mr. Mackenzie, and which I shall here briefly notice.

In the first place, an apprehension seems to be entertained, that the extension of the Supreme Court's jurisdiction to landed property situated in the Mofussil is calculated to have an injurious effect on the Revenue of the State. But how this effect is to be produced from such a cause I cannot perceive. Take the case we have before us. The property under litigation in the Supreme Court we will suppose to have been a joint estate, belonging to Ruttenchunder Paul Chowdry and Premchunder Paul Chowdry. Subsequently to the death of these two individuals, the heirs of one of them attempt to take possession of the entire property. They are sued by the heirs of the other in the Supreme Court, and the plaintiffs obtain a decree for a six Annah share. The lands of which that six Annah share is to consist are specified in the decree ; and an order is passed, that they shall be held by the plaintiffs as a separate estate. In this there is no attempt at interference with the fiscal authorities or the revenue dues of Government. The Receiver of the Supreme Court, on behalf of those for whom he collects, applies to the proper quarter for a registry of the names of the decree holders, with a view to give effect to the provisions

sions of the judgment. The act of the Court in distributing the parcels of land among the co-sharers, neither does nor is intended to affect the clear and indefeasible right of Government to realize by the authorized process the rent leviable on the entire estate.

In the event of any arrears accruing on either of the portions specified in the decree, the estate is of course liable to sale ; and this, indeed, seems to have been actually threatened with regard to certain parts of the estate situated in the districts of Jessore and Nuddea. The only means by which the Government revenue could be affected, would be by a depreciation of property occasioned by the assignment to one co-sharer of too great a portion with reference to the share of Government Revenue contributed by him. But this evil would soon cure itself. The suffering co-sharer would, it may be supposed, not delay long in applying for a butwarra of the estate ; and on a division being made, the Collector is authorized and required to assess the parcel divided off with its due share of the revenue with which the whole estate is burthened. If there is any inequality in the assessment, the fault does not lie with the Supreme Court. But there might be cases in which, from minority or other disqualification, mischief might arise from the least delay in the application of the remedy ; for this reason, and because it seems to me a plan in itself simple, efficacious and unobjectionable, I think that a rule should be made, that whenever the Supreme Court decree a portion of an estate, and actually parcel it off, as in the present instance, the division should be looked upon, to all intents and purposes, as if it were a butwarra made by the Collector, and that the assessment should be laid on the several portions accordingly. The Supreme Court would, I feel convinced, readily give the necessary instructions to their officer to furnish the Sudder Board with copies of all their decrees affecting landed property situated in the Mofussil ; and when a Receiver is appointed, he should be required to name the individual or individuals whom he may delegate to make the collections.

The next difficulty started seems to me to exist nowhere but in imagination. It is apprehended that the individual delegated by the Receiver to collect the rents would be amenable only to the jurisdiction of the Supreme Court. But why should this be the case ? The Supreme Court in appointing a Receiver, never contemplated that his delegate should be "*lege solutus*," or exempt from responsibility to the local authorities. Suppose that the parties in whose favour the decree had been passed were neither of them disqualified, and that the Supreme Court had adjudged possession to them ; in that case it would not be pretended, that the judgment was meant to exempt the parties from any liabilities to which they were subject before ; neither in this case, by the appointment of a Receiver to act for the parties, was anything more contemplated than that he should be guided in his proceedings by the same rules as are applicable to the parties themselves. The Supreme Court would no more interfere in the one case than in the other. If the officers of their Receiver misconduct themselves in the interior, either by commission or omission, that Court would unquestionably allow the local law to take its course in the same way as if the parties themselves had been put in possession under the decree. I happen to know, that very lately, within the jurisdiction of Baraset, several people belonging to the Receiver's delegate were seized and put in gaol on a charge of affray ; but the Receiver never dreamt of applying to the Supreme Court, nor supposed that the jurisdiction of Mofussil authorities could for a moment be disputed. Had the Receiver appointed



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pointed an European British subject to collect the rents, the case would have been different. This we may be assured he would never do for his own sake; and if this were done, the Government would always be able to counteract the evil by refusing a license to reside, in the event of security not being furnished for the performance of all that is required from the land-holders.

The entire fallacy seems to consist in the supposition that the Supreme Court, in adjudicating the transfer of property situated in the Mofussil, necessarily alters the laws to which such property is subject, and that, in appointing an officer of their own to receive the rents, they necessarily authorize a deviation from the established modes of collection. I feel it quite impossible to argue against this doctrine, or to suggest any remedy for an evil the existence of which there is no reason to presume. The question, as far as it affects lands held rent-free, seems to me to be equally simple. The Supreme Court does not, in any instance, determine the question as to the validity of the tenure. It merely goes the length of determining, that the right of *A.* is superior to that of *B.*, without in any manner deciding that there is an indefeasible right in either. Denying as I do the mischief, it is hardly requisite to discuss the efficacy of the suggested remedy of appointing the several Collectors to the office of Receiver; but I shall merely mention, as one of the grand objections to this system, that it would entail the performance of duties in their nature frequently conflicting, and that the Collector, in his capacity of a servant of the state, might often be called on to act in a manner prejudicial to the interests of the individual whose estate is confided to his management; for the Government, I presume, would hardly concede to an estate so circumstanced, the privilege of exemption from sale, on account of arrears.

With reference to the defect noticed of the provision contained in the 107th Section of the 53d of the late King, c. 155, which has been held not to permit one British-born subject to be impleaded by another in the Country Courts, it is sufficient to observe, that constructions have been given both ways by successive Advocate Generals, though it is certainly desirable that the law should be settled in one way or the other. There is little danger, I think, to be apprehended from collision between the King's and Company's Courts, in cases in which they have concurrent jurisdiction. The Company's Courts would be prohibited by our regulations from hearing a suit which had already been determined by a competent authority, as the Supreme Court must be admitted to be; and in deference to an established and well-known maxim of jurisprudence, the Supreme Court would regard as *res judicata* a matter which had been determined by one of the Company's Courts. Where concurrent jurisdictions exist, there must always be danger of conflicting judgments. To limit the jurisdiction of the Supreme Court to the area comprised within the Mahratta Ditch, would certainly be a royal road to simplicity; but I do not think that this specific would be either very consonant to the inclination of the Judges of that Court, or just to the claims of its suitors. It would hardly be equitable to allow a man to enter into all kinds of commercial engagements, and to exempt his property from the liability to which he has subjected it, simply because it does not happen to be in the very spot where the contract may have been entered into. In truth, it is very difficult in any country where there is a multiplicity of jurisdictions to prevent their clashing. In Mr. Brougham's Speech on the present State of the Law in England, there

there is an amusing and instructive account of the conflict of the King's Bench and Common Pleas, and of the competition of the three Courts. If the Supreme Court of Judicature in this country grasps at jurisdiction, it is not singular in its propensity.

The Sudder Dewanny Adawlut has lately consulted the Advocate General as to their power of punishing for contempt an European, who sent into the Court a libel on the Judges, the offence being of course committed in Calcutta. His reply has not yet been received ; but should it be in the affirmative, I believe the Court have it in contemplation to suggest the enactment of a regulation, extending their powers of punishment in such cases ; for though the existing penalties are sufficient perhaps to deter natives from the commission of this offence, yet they are clearly insufficient to restrain the wealthy and litigious European from attempting to browbeat and insult the Judges, whose decisions may not be exactly conformable to his cupidity. I am not aware that in any other respect the powers given to the Sudder Court by Act of Parliament for enforcing their process are inadequate. Mr. Mackenzie seems to think that false swearing in the Sudder Dewanny and Nizamut Adawlut would not be punishable as perjury by the Supreme Court. I do not know on what this opinion may be founded, but a former Advocate General, Mr. R. Smith, distinctly declared in a communication to this Court, dated the 2d January 1812, that the offence in question would be so punishable.

To establish a system of registry for persons subject to the jurisdiction of the Supreme Court, on the principle suggested by Mr. Mackenzie, would, I think, be extremely difficult. Every man must necessarily be entitled to plead in bar of the jurisdiction. It would be unjust, nay intolerable, to deprive a party sued of this right, because he had been registered on a summary and *ex parte* inquiry ; and if this were not done, what would be the use of the registry ?

The objections to employing our local judicial officers in aid of the process of the Supreme Court, as it is at present constituted, appear to me quite insurmountable. In the first place, they positively want the leisure ; and, in the second place, from their ignorance of technicalities, they would be perpetually committing blunders, and involving themselves and the Government in embarrassment and confusion. To meet the existing difficulties, it appears to me, that no unobjectionable scheme can ever be devised, so long as the Mofussil Courts are subject to one authority, and the Court at the Presidency to another. Were India transferred to the Crown, the simplest plan apparently would be to take away from the Supreme Court all native jurisdiction, confining them to cases in which Europeans are concerned, and giving to the present Sudder Adawlut, under the designation of the Supreme Native Court, exclusive jurisdiction in cases concerning natives, whether in or out of Calcutta. The consideration of this, however, and of the other points adverted to at the conclusion of Mr. Mackenzie's Paper, would require infinitely more leisure than I can at present devote to the task. I therefore return all the documents, with these hurried observations, as I despair of being able to offer, within a moderate period, any suggestions calculated to be conducive to practical utility.

April 9, 1829.

(Signed) W. H. MACNAGHTEN.

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&c

Mr. Macnaghten's  
Notc.

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NOTE by Mr. J. W. Hogg; dated 17 May 1829.

I do not find among these papers any representation of any Collector or Zillah Judge, stating any evil that has actually arisen from the appointment by the Supreme Court of a Receiver of the rents of lands in the interior.

That power has been exercised by the Court for a period of forty years and upwards, and it seems strange that no causes of loss to the public revenue or injury to private individuals have been adduced. I myself have a pretty accurate knowledge of the proceedings of the Supreme Court for the last thirteen years. During all that time the Receiver has had under his charge various lands in the Mofussil; yet, till now, there has been no difficulty, embarrassment or complaint.

And be it remembered, that the attention of Government has not been drawn to the subject by any practical inconvenience that has actually been experienced, but by the refusal of the Mofussil authorities to recognize the Receiver, or afford him the usual aid in the discharge of his duty; assigning as their reasons various ills that must inevitably result from such a measure, but which have been averted for nearly half a century.

I confess, that on perusing the papers, the first thing that struck me was, the absence of facts from which arguments could be fairly drawn, or remedies suggested. All is speculation; a host of imaginary perils are conjured up, which are difficult to combat, because they are unreal.

With respect to the jurisdiction of the Supreme Court over lands in the Mofussil, it is now much too late to agitate that question, except by application to the Legislatures. I can well understand the grounds on which it might have been contended, when the Court was first established, that it ought not to exercise any jurisdiction over lands in the interior; and, circumstanced as the country then was, many arguments might have been adduced that now are no longer applicable. But when the jurisdiction in certain cases is conceded, I am unable to understand how it can be contended that the Court in such cases cannot appoint a Receiver, which is only the exercise of a power incidental, if not essential, to jurisdiction. The Court which can adjudicate as to the right, title, and inheritance to landed property, must, of necessity, have the power to appoint a Receiver to collect the rents, and protect the property pending the litigation.

In India the local Government is now affording increased facilities to Europeans to reside and hold lands in the Mofussil. At home, by the late Insolvent Act, the whole property of the insolvent is vested in the assignee named by the Court, and no distinction is made between a house in Calcutta and a talook in the Mofussil; and under the provisions of this Act, extensive estates must often be vested in the assignee, with power not only to collect the rents, but to sell the interest of the insolvent. Surely then this is not the time to contend that no officer appointed by the Supreme Court ought to be permitted to collect the rents of lands in the Mofussil, or to urge that such an interference would be incompatible with the interests of the Government and the safety of the public.

The first danger apprehended is, loss to the public revenue. I confess I am wholly unable to understand how injury or danger can possibly accrue to the public revenue from such a cause.

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When the Court appoints a Receiver, that officer is empowered to collect the rents then due and to accrue due, in the same manner that the proprietor himself could collect them. He is bound to discharge the Government revenue out of such rents, when collected; and if the revenue should not be paid, the lands are as liable to sale in the hands of the Receiver, as in the possession of the native proprietor. Where then is the danger or difficulty? Is not the payment of the revenue more secure, from the very circumstance of the rents being collected by a responsible public officer, who is personally liable, and can be summarily punished for misconduct? Refer to all the cases where Receivers have been appointed, and let me ask if, in any single instance, the revenue has been unpaid, or any loss otherwise sustained by Government? If the Mofussil authorities will only aid the Receiver in the discharge of his duties, the payment of the Revenue will be as certain as if the rents were paid into the Public Treasury.

It does not appear to me that any new regulation need be framed. I would suggest, that when a Receiver is appointed by the Supreme Court, he should be directed to file with the Secretary to the Sudder Board an office-copy of the order, or ordering part of the decree whereby he is appointed, and wherein the lands and premises are set forth; and the Sudder Board can issue to the local authorities the necessary instructions to recognize the appointment of the Receiver, and to afford him the usual aid in collecting the rents.

In like manner, as to partitions, let the same force be given to a partition made by the Supreme Court as to one made by the local authorities; and let the parties have a like liberty to register their separate shares in their separate names, and to call upon the Collector, in the usual form, to allot to each share the proper portion of Government revenue. The decree of the Supreme Court allots and sets out in severalty to each the share to which he is entitled, but it in no wise affects, or can affect, the right of Government to collect the revenue, nor the mode of enforcing payment of it.

It would be a hardship if, after a family had separated, the share of one should be sold for the default of another; and this has accordingly been provided against by the regulation enabling the parties to call on the Collector to apportion the Revenue; and I cannot see why this indulgence (if indulgence it can be termed) should not be conceded to the parties where the partition has been made by the decree of the Supreme Court.

The party wishing to have the decree recognized and acted upon in the Mofussil, might be required to file an office-copy of the ordering part of the decree with the Sudder Board, who could issue the necessary orders. Indeed, what I have suggested is only that effect should be given to the decrees of a Court of competent jurisdiction.

In the Supreme Court no matter can be litigated that has already been determined by any Zillah Judge or Court of competent authority; and the decree or judgment of such Judge or Court could be pleaded in bar of any suit or proceeding in the Supreme Court relative to the same subject matter.

I have heard it complained, that there is not entire reciprocity in enforcing decrees and judgments, and I admit the truth of the observation; but this arises from the different constitution and powers of the Courts, and does not depend on the will of the Judges that preside. By Charter, the process of the Supreme Court runs through the pro-

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vinces, and the Court enforces its own decrees and judgments by its own process, in the execution of which all local authorities are required to be aiding and assisting. Not so with the Country Courts; their process (except as provided for by statute) cannot be executed within Calcutta; and a party seeking to enforce a Mofussil decree in Calcutta, must sue upon that decree, which will be recognized and enforced by the Supreme Court.

I have suggested, that the Receiver should file a copy of the decree or order, whereby he is appointed, with the Sudder Board, rather than forward it to the Collector and Zillah Judge, because it appears to me to be the course most simple, and the least likely to induce collision. If the lands were situated in different districts, the estate would be put to great expense, if it were necessary to send a copy of the decree or order to each different authority; and these authorities would probably rather receive their instructions from the Sudder Board than from any other quarter.

I shall now notice the second objection, which, if well founded, would indeed be most serious.

It is supposed that the native managers and mooteers appointed by the Receiver may plunder and oppress with impunity, being exempt from the authority of the Mofussil Courts, and that the suffering ryots are remediless, unless they undertake a pilgrimage to Calcutta, surmounting all the prejudices and braving all the horrors so glowingly portrayed by my friend Mr. Mackenzie. Every native appointed by the Receiver is as amenable to the country Courts for every act of violence or extortion as any individual in the districts; and if the Receiver himself were there, and should so conduct himself, he would, in my opinion, be as liable to the authority of the Zillah Magistrate as any other European.

There is a clear and marked distinction between that which is done in virtue of office, and outrage committed under mere colour and pretence of office. It would not be competent to the Zillah Judge, or Collector, to say to a mooteer duly appointed by the Receiver: "We shall not recognize you on your authority, or permit you to collect the rents." But it would be competent to the Mofussil authorities to prevent that mooteer from exacting more than the ryots were bound to pay, or to punish him for any acts of violence or oppression he might commit.

I cannot see how there can be any extortion under such circumstances. If the Ryots will not pay, the mooteer must apply to the Judge, who will only pronounce his decree for the amount actually due. The mooteer cannot receive without the aid of the Mofussil process; and if he should attempt to take the law into his own hands, he would be liable to punishment like any other wrongdoer.

Lands in the Mofussil, when under the charge of a Receiver, are generally let on farm to natives, who are of course in all respects in the situation of the proprietors, entitled to the same remedies, and subject to the same liabilities. In the case which called for the present discussion, I, being then Receiver, determined not to let on farm, for special reasons. The parties on whose behalf I was acting, having been excluded from all enjoyment of the joint family property, were unable to afford me any information respecting the parcels allotted to them, and I therefore wished to retain the lands under my own management, until I could ascertain their value, and be able to form an opinion

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as to the biddings when they were put up to farm. Besides, I had reason to believe, that if the lands were then put up to farm, the eldest member of the family would himself take them in the name of some dependent, for the very purpose of defeating the object of the Court in ordering those parcels to be severed from the rest of the family property.

Unless some such special reasons compel the Receiver to undertake the trouble of managing by his own mochtears, he will, in all cases, let to farm, as most for the benefit of those interested, and less troublesome to himself. While I held the office of Receiver, I was appointed Committee of the estate of Juddoonaut Baboo, a lunatic, then confined for debt in the great gaol in Calcutta. He had large landed estates, but had long been greatly embarrassed, and his affairs were in the greatest confusion. He had let a great part of his own property on puttnee, and had taken many talooks from others on the same tenure, which much increased the difficulty of management. As I did not know when the man might be restored to reason, I considered it my duty not to farm the talooks, but to retain them in my own management, that I might be able to restore them to the proprietor on his recovery; and I accordingly collected myself by mochtears. I applied to the different Mofussil authorities, particularly in Zillah Hooghly, from whom I received the most ready and courteous assistance, and was able to discharge my duty without any collision or difficulty.

It is suggested, that by the appointment of a Receiver all the ryots on the estate become amenable to the Supreme Court. It is not so; they are not liable further than every native or other person, who opposes the process of the Court, is liable to answer for the contempt.

If the Ryots, after knowledge of the order appointing the Receiver, were to pay to another, an attachment might issue against them; but no such process has ever issued, or been applied for by any Receiver, to my knowledge. I do not think that it would answer practically to appoint the Collector the Receiver of the Court for the lands within his district. Where the lands were situated in different districts, there would be many Receivers, all officers of the Court, and thereby subject to its orders, in a way that would necessarily interfere with their public duty.

I believe I have noticed all the dangers and difficulties alleged as likely to accrue from the appointment of an officer of the Supreme Court to be Receiver of the rents of lands in the Mofussil, and I have suggested what occurred to me as sufficient to remove every real difficulty. I shall now briefly advert to some of the general suggestions of Mr. Mackenzie; and I feel I shall find it easier to point out objections to what has been proposed, than to originate any thing better myself.

The liability of any person to the jurisdiction of the Supreme Court, at any stated time, is a mixed question of law and fact, which can only be determined by the Court itself. No system of registry could be of any avail, because there could be no competent authority to determine the question at the time of registry; and if then determined as to any individual, that same person might be differently circumstanced on the following day, and be either free from past or subject to new liability.

The liability of any person to the jurisdiction depends upon what is variable, and therefore cannot be measured by any fixed standard.

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Mr. Mackenzie is in error in supposing that the process of the Supreme Court can issue against any person without previous inquiry as to his being subject to the jurisdiction. No process can issue against any person, not even against a British-born subject, without an affidavit stating the party to be subject to the jurisdiction, and in what manner.

This is the only precaution that can be taken to avoid an abuse of the process; and the party may afterwards appear, and deny his liability, and that issue will be tried before the merits of the case are gone into.

With reference to an observation in one of the accompanying Papers, I may here say, that a native resident in the Mofussil is not subject to the jurisdiction of the Supreme Court by reason of his having land or houses in Calcutta. It is true that the title to such property within Calcutta could only be determined by the Supreme Court; and so far, but no farther, can the proprietor be said to be subject to the jurisdiction. For example: *A.*, a Hindoo, resides at Patna, and has neither a family dwelling-house nor house of business in Calcutta; he has however land in Calcutta, which is wrongfully entered upon, and possessed by *B.*; *A.* must seek his redress against *B.* in the Supreme Court, and *B.* may bring a cross suit against *A.*, who will be held amenable, and compelled to answer as to *that subject matter* respecting which he himself sues, but not otherwise.

I think it is to be regretted, that when the Court was first established, the Judges did not frame processes suitable to the country, instead of adopting all the English forms. The attention of the present Judges is now directed to this subject, and rules have already been framed, and will shortly be published, that will obviate many of the inconveniences arising from executing the process at a distance from Calcutta. While English law and practice prevail in the Supreme Court, I fear there would be an insuperable objection to the plan of referring the whole or any part of the matters in issue to the decision of any of the Mofussil Courts. The Supreme Court must itself hear and determine all matters before it, and has no power to delegate any part of that authority to any other tribunal. Wherever there are Courts of concurrent jurisdiction, there must sometimes be conflicting decisions. This may be lamented, but must be submitted to, as an evil incident to human frailty throughout the world, and not peculiar to this country or its institutions.

I think it would be most desirable if the process of the Court could be executed by the local authorities, and I believe it is so at Madras, beyond a certain distance from the Presidency. I fear, however, there would be some difficulty, from the wording of the Calcutta Charter, which directs all process to be executed by the Sheriff. The Sheriff might appoint any number of deputies, but he would be legally responsible for the acts of each; and the inadvertence of any one of the number might fix him with liability to an extent that would deter any one from accepting the office.

I was not aware that doubts had been entertained, whether a person swearing falsely in any judicial proceeding in the Sudder Dewanny could be indicted for perjury in the Supreme Court; and as the grounds of such doubts are not mentioned, I am unable to meet them. Some case may probably have been submitted to the Advocate General, where the swearing, though false, did not amount to the legal offence of perjury; and hence may have arisen the general doubts; but if the false swearing was wilful, and  
material

material to any matter pending judicially before the Sudder Dewanny or Nizamut Adawlut, I should think that the offender could be indicted for perjury in the Supreme Court.

Some legislative provision must soon be made for the trial and punishment of all offences and crimes committed by British subjects in the interior, and at a distance from Calcutta. It is almost a denial of justice to require a prosecutor and all his witnesses to abandon their houses and callings, and proceed to Calcutta, perhaps from the most remote parts of Hindoostan. The jurisdiction of the Country Courts over British subjects in criminal cases is now limited to cases of assault and trespass, and I do not think that it will be extended. Some new tribunal must be constituted, and none seems so consonant to English feeling, or so free from all objections, as general sessions of the peace, to be holden at the principal stations, before two or more Justices of the Peace, with an English barrister of experience and standing presiding as Chairman. It would not be necessary that the jurors should be British subjects, as formerly; and I do not think that there would be any difficulty in assembling a full jury of persons professing the Christian religion at any of the stations enumerated by Mr. Mackenzie.

But these and all other matters relating to India will soon be under the consideration of Parliament; and from the increased attention of late bestowed on Indian affairs, they will, I trust, be maturely considered. I could not venture to obtrude any suggestions of my own, without giving the subject time and consideration that I have not at my disposal.

All who are acquainted with the statutes relating to India must admit, that they are framed most loosely, and evince throughout an absence of local knowledge and experience; and all who have resided long in this country must, I think, regret that a general power of legislation is not vested in some local Council, that might be constituted so as to exclude all cause for jealousy from any quarter.

17 May 1829.

(Signed) J. W. Hogg.

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No. 13.

NOTE by Mr. A. Ross.

(A.)

It seems to me quite clear, that a decree or order of the Supreme Court, adjudging to a party a certain share of a joint estate situated out of Calcutta, and assigning specific villages or lands as forming that share, and apportioning the public assessment on those lands, is inconsistent with our regulations, and cannot be attended to either by the Judicial or by the Revenue officers of Government.\*

In cases such as that of Woomeschunder Paul, I conceive the best course for the Supreme Court to pursue would be that which is followed by the Sudder Dewanny Adawlut, namely, to adjudge merely the share or the specific villages of the estate to which the

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\* I mean, of course, that in so far as the decree or order affects the public assessment, the local authorities cannot attend to it. In every other respect, I should think they must recognise its validity.



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the party suing may be considered entitled, and to direct the Collector, in the case of a share being adjudged, to assign the lands or villages for that share; or in the case of specific lands being awarded, to apportion the public assessment to be charged on those lands. The only valid objection to the adoption of this course appears to me to be the impracticability of giving effect to the rules prescribed for the partition of estates in a reasonable time. But those rules might be much simplified. In the permanently settled provinces, where the rental of our estates (generally speaking) much exceeds the public assessment, great nicety in making a division is not now necessary to secure the interests of Government. All that seems requisite for that purpose is, that the Collector should satisfy himself that no one of the shares into which the estate is divided, is charged with a larger proportion of the general jumma than the others, with reference to the rental for the time being, as exhibited in the village accounts. If a joint proprietor of an estate, desiring a separation of his share, were willing to agree to a butwarra made in this manner, I should think it ought not to be objected to by Government. I dare say the division of Woomeschunder and Premchunder Paul's estate was made in this way by the commission appointed by the Supreme Court.

(B.)

The most simple remedy for the evils mentioned, would be to make the Receiver appointed by the Supreme Court to the management of an estate, and those acting under him, amenable in all respects to the laws in force in the district in which the property might be situated, with the option of appealing from the decisions and orders of the local authorities, either to the Supreme Court or to the Sudder Adawlut. In civil suits in which an European is a party, this option of appealing to either of the tribunals mentioned is allowed by the Act 53 Geo. III., cap. 155.

(C.)

I am inclined to concur in the opinion that good would result from the Supreme Court being vested with the same controlling powers as the Nizamut Adawlut over Magistrates and other officers of Government in the provinces; and I am disposed to think, also, that advantage would be derived from giving the Supreme Court an appellate jurisdiction in all civil cases in which a party dissatisfied with the decision of a Mofussil Court might prefer appealing to it, rather than to the Sudder Dewanny Adawlut; provided in such cases the process of the Court were made as simple and as little expensive as that of the Sudder Dewanny and Nizamut Adawlut. At the same time it must be allowed, that there is reason to fear that such an extension of the jurisdiction of the Supreme Court, while its process continues to be as it now is, unintelligible to any one but a regular-bred lawyer, and available to none but persons of wealth, would be productive of injustice, by enabling a rich litigant to insure the defeat of a poor one, after the latter had obtained justice in the Mofussil.

(D.)

If section 107th of the 53 Geo. III. c. 155, does not allow one British-born subject to be impleaded by another in the Mofussil Courts, the law ought to be amended. I understand, however, that the section of the Act cited, is thought to have been erroneously construed; in which case, if there has been no decision by the Supreme Court confirmatory of the construction now acted upon, it might be advisable to take the opinion of the present

present Advocate General on the point, with a view to revoking the Circular Order issued to the Mofussil Courts, founded on the construction referred to.

(E.)

Nothing more would seem to be necessary to make the Supreme Court part of the general scheme for the administration of the judicial business of the country, than to give it a concurrent appellate jurisdiction, in all matters civil and criminal, with the Sudder Dewanny and Nizamut Adawlut. Its jurisdiction, however, in original civil suits, should, I conceive, be confined within the limits of the Mahratta Ditch. To empower it to try in the first instance (without the consent of the defendant) suits in which the property litigated might be situated in a distant province, would, as I have already observed, open a door to injustice and oppression. It would enable a rich man to bring an unjust suit against a poor one before a tribunal in which the latter could not defend himself.

Collision between the two Courts might, perhaps, be guarded against as much as it can be, by making it a rule, that an appeal preferred to the one should be a subsequent appeal to the other in the same case.

If it were said, that by adopting this plan of giving to the Supreme Court all the powers of the Sudder Dewanny and Nizamut, the latter Courts would be rendered unnecessary, I would reply, no; because the Supreme Court could not get through a tenth part of the business to be disposed of, and also because, although it might be desirable that all persons in the interior, natives as well as Europeans, should have the option of appealing to that tribunal, it is most probable, even were its mode of procedure simple and inexpensive, that the great majority of the people would prefer the Sudder Dewanny, on account of the greater acquaintance of its Judges with their language, manners and customs.

(H.)

Whatever alteration in the jurisdiction of the Supreme Court may be adopted, I conceive it is very desirable that its orders and processes extending to the Mofussil should be executed by the local authorities, in like manner as those of the Sudder Dewanny and Nizamut Adawlut are. They would in this manner be much more effectually executed than they now are.

(J.)

In regard to the scheme of constituting a special Court, or Chamber, to consist of one or two Judges of the Sudder Adawlut, associated with the Judges of the Supreme Court, for the decision of cases in which the two Courts have concurrent jurisdiction, I apprehend a tribunal of such composition would not work well. The local experience and knowledge of the Sudder Judges would not probably be thought by the Judges of the King's Court sufficient ground on which to form a decision, when local information, as to any particular point which it might be necessary to establish, could be obtained by the examination of the witnesses. The Judges of the Sudder, therefore, could afford but little available aid to the Judges of the Supreme Court, while the only effect of the superior legal wisdom of the latter would be to *dumbfound* the common sense of the former. I may remark also, that the wisdom which is only to be derived from the study of the laws of England, and of the rules of practice of the Courts of that country, is not necessary to enable a Judge to administer substantial justice in other countries. On the contrary, I have

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have somewhere seen it observed, that where a simple and rational code of procedure exists, a man of liberal education, having a knowledge of the science of jurisprudence, and a mind disciplined to habits of reflection and combination, would be essentially better fitted for the exercise of the judicial functions, than one burthened and trammelled with all the legal wisdom and knowledge of Lord Eldon.

I should fear, therefore, that any attempt to join together in one Court the learned wisdom of the King's Judges and the unlearned common sense of the Sudder Judges, in a way likely to be productive of advantage, would fail. It would be much better, I conceive, to let each work separately, giving appellants the option of submitting their cases to whichever of the two they might prefer.

(K.)

As a disciple of the Bentham school of jurisprudence, I cannot but object to the proposed mode of providing for the punishment of British subjects in the interior of the country. The difficulty and inconvenience which would attend the assembling of three Justices of the Peace to hold a sessions, where there are so few of those functionaries, is alone a great objection to the plan; and that objection derives tenfold force from the consideration that one Justice or Magistrate (if qualified) holding a session would get through the business to be disposed of both quicker and better than three or any greater number sitting together could do. I would prefer making British subjects choosing to reside in the interior amenable, for offences not amounting to felony, to the ordinary local criminal Courts, with the right of appealing from their sentence either to the Supreme Court or to the Nizamut Adawlut, both of these Courts being vested with power to confirm or annul convictions, and to alter sentences; and in cases in which the evidence appeared unsatisfactory, to order a new trial in the local Court *before a Jury*.

British subjects would certainly have reason to complain of being prevented settling in the interior by being made amenable to Courts not entitled to their confidence; but it would be otherwise if the local Courts afforded requisite security for justice being duly administered by them. To Courts affording that security, on whatever model they might be formed, British subjects could not more reasonably object than the natives of the country; and if any one did object, he might then be told that he was at liberty to quit their jurisdiction if he did not choose to submit to it.

(L.)

I should hope Parliament would not consent to give the Government in India a *general* power of legislation, without any local check being imposed upon it. A legislative council, however, formed on right principles, appears to be very desirable. One thing would be essential, I conceive, to the usefulness of such a council, namely, that the number of its members should be large; for in the making of laws, the wisdom of a multitude of counsellors cannot but be advantageous. The Chief Judge of the Supreme Court would, I should think, be a useful member of the council; and as he could *there* exercise only legislative functions, his office being a Judge could hardly be made an objection to him. It is only on the bench that a Judge *can* act judicially, and it is only there that a junction of legislative and judicial functions seems to be possible.

(Signed) A. Ross.

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No. 14.

LETTER from W. H. Macnaghten, Esq., Register, Sudder Dewanny Adawlut, to Henry Shakespear, Esq., Secretary to Government in the Judicial Department.

SIR :

Fort William, 5 June 1829.

I am desired by the Court of Sudder Dewanny Adawlut\* to request that you submit for the consideration and orders of the Right Honourable the Governor-General in Council the accompanying copy of a Letter, under date the 27th of February last, written by their order to the Honourable Company's Attorney, and of that officer's Reply and its Enclosure, dated the 25th ultimo.

2. It appearing to be the opinion of the Advocate-General that this Court does not possess the power of punishing an European British subject for contempt of Court, and its being obviously essential to the maintenance of that respect which is due to judicial authority that such power shall be conferred, I am directed to solicit the attention of his Lordship in Council to the subject, and to suggest that such measures may be adopted as may seem expedient to Government for procuring the enactment of some legislative provision to render European British subjects punishable for contempts committed in the Company's Courts, in like manner with other individuals who resort to those tribunals for redress.

3. The Court desire me to add, that the mode of proceeding suggested by the Advocate-General, namely, preventing a person guilty of contempt from acting as an attorney, and removing him from the Court, would not seem to afford them sufficient protection against insult while in the discharge of their official duties.

I am, &c.

(Signed) W. H. MACNAGHTEN, Register.

(Enclosures.)

LETTER from W. H. Macnaghten, Esq., Register Sudder Dewanny Adawlut, to R. W. Poe, Esq., Attorney to the Honourable Company.

SIR :

Fort William, 27 February 1829.

1. I am desired by the Court of Sudder Dewanny Adawlut† to request that you will beg the favour of an opinion from the Advocate-General on the following question :

2. By Clause 113 of the 53d George III. c. 155, it has been declared lawful for the Court of Sudder Dewanny and Nizamut Adawlut to execute, or cause to be executed, upon all persons subject to their jurisdiction, all manner of lawful process of arrest within the limits of the town of Calcutta. By the provisions of Regulations XII., 1825, the Civil

LEGISLATIVE  
COUNCILS,  
&c.

Sudder Dewanny  
Adawlut  
to Judicial  
Secretary to  
Government.

Sudder Dewanny  
Adawlut  
to Company's  
Attorney.

\* Sudder Dewanny Adawlut.—Present : W. Leycester, Esq., A. Ross, Esq., C. T. Sealy, Esq., R. H. Rattray, Esq., and M. H. Turnbull, Esq., Judges.

† Sudder Dewanny Adawlut.—Present : W. Leycester, Esq., Chief Judge ; A. Ross, Esq., C. T. Sealy, Esq., R. H. Rattray, Esq., M. H. Turnbull, Esq., Puisne Judges.

# 1110 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c.

Sudder Dewanny  
Adawlut  
to Company's  
Attorney.

Civil and Criminal Courts are authorized to punish persons guilty of contempt, by adjudging a fine not exceeding two hundred rupees, commutable, if not paid, to imprisonment, not exceeding two months. The Court are desirous of being informed whether, under the above provisions, they are authorized to inflict the penalty in question on a European British subject, who, acting as attorney in a civil suit, or otherwise coming within the Court's premises, may be guilty of contempt, and if so, in the event of the non-payment of the fine, in what gaol the offender should be confined.

I am, &c.

(Signed) W. H. MACNAGHTEN, Register.

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LETTER from R. Molloy, Esq., Acting Attorney to the Honourable Company, to  
W. H. Macnaghten, Esq., Register, Sudder Dewanny Adawlut.

SIR :

Fort William, 25 May 1829.

Company's Acting  
Attorney to  
Sudder Dewanny  
Adawlut.

Having laid your Letter to the address of Mr. Poe, dated 27th February, and received 11th of March last, before the Advocate-General, I now beg leave to forward a copy of his Opinion on the matter therein contained, received this day.

I have, &c.

(Signed) R. MOLLOY,  
Acting Attorney to the Hon. Company.

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## OPINION.

I do not think that the Statute 53d Geo. III. applies to the present case. The only question is, whether, under the Regulation cited, the Sudder Court is authorized to inflict the penalty on an European British subject. Assuredly such person is not commonly subject to a Provincial Court, held within any of the chief towns of the three Presidencies; and, upon the whole, I am inclined to think that it does not possess the power of punishing him for contempt by fine and imprisonment. I presume, however, that the Judges may prevent his acting as an attorney in the Court, and if he causes any disorder, or interrupts the proceedings, or treats the Judges with insult while in the discharge of their duty, they may remove him from the Court.

(Signed) JOHN PEARSON.

A true Copy :

(Signed) R. MOLLOY,  
Acting Attorney to the Hon. Company.

True Copies :

(Signed) W. H. MACNAGHTEN, Registrar.

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1111

No. 15.

COPIES of OPINIONS as to the Powers of the Mofussil Court to take Cognizance of Civil Suits in which both Parties are Europeans.

LEGISLATIVE  
COUNCILS,  
&c.

Powers of  
Mofussil Court :

COPY of Mr. Minchin's Opinion on Section 107th of 53 Geo. III.

I HAVE perused the opinion of Messrs. Fergusson and Spankie, and notwithstanding the deference which I should always be inclined to pay these gentlemen, yet I cannot on the present occasion assent to the propriety of the construction which has been put by them on the 107th Section of the 53d Geo. III.

Mr. Minchin's  
Opinion.

By the preamble of the 105th Section, after reciting that British subjects resident in India without the towns of Calcutta, Madras, and Bombay, were by law exempted from the jurisdiction of the Company's Courts, to which all other persons, inhabitants of the territories, &c. were amenable, it is stated that it was expedient to provide more effectual redress for the native inhabitants, as well in the case of assault committed by British subjects at a distance from the Supreme Court, as in cases of civil controversies with such British subjects, it enacts, that in cases of assault, &c., committed by a British subject on a native, the magistrate of the zillah shall take cognizance of the charge. The enactment of this clause, as well as the next, as to debts under fifty rupees, are undoubtedly confined to claims of natives on British subjects. But the 107th section takes a much wider scope ; it is not confined to native inhabitants (as is *contended* by Mr. F.), or merely to the civil controversies between natives ; but it defines the jurisdiction of the Courts in the Mofussil ; for it enacts, " That all British subjects of His Majesty, as " well Company's servants as others, who shall reside or carry on trade, &c., or occupy " or possess immoveable property at the distance of more than ten miles from the " Presidency, shall be subject to the jurisdiction of all Courts which now have, or here- " after may have, *cognizance of civil suits or matters of revenue*, and in all actions, " &c., and *in all matters of revenue*, in the like manner as natives of India are " now liable to the jurisdiction of such Courts," &c. These very general words, which are not confined by any preamble, place all British subjects residing, carrying on trade, or possessing immoveable property in the interior more than ten miles from Calcutta, on the same footing as natives of India, with respect to the jurisdiction of the Mofussil Courts. It is under this clause only that the Company could be enabled to sue a British subject for any matter of Revenue ; and I doubt very much whether the Company's law officers would have ventured to advise the Government that they, as Europeans, could not maintain their claims against other British subjects in the Mofussil Courts, especially when, if so, the Supreme Court being especially precluded from interfering in matters of Revenue, a British subject indebted to the Government on account of Revenue could not be impleaded at all. This, as it appears to me, is the necessary consequence of the argument used on the other side, and, in my opinion, confutes itself.

## COPY of Mr. Serjeant Bosanquet's Opinion on the same Subject.

It appears to me, after the best consideration which I have been able to bestow upon the Statute 53d Geo. III. c. 155, and the Opinions which have been already given on the subject, that the Zillah Courts have jurisdiction in civil suits between British subjects in the cases provided for by the 107th Section of that Act.

I certainly think that the preamble, by which the 105th Section is introduced, has reference to the 107th Section, as well as to the two preceding Sections, and that the words "civil controversies" are not satisfied by the provisions of the 106th Section only.

But it frequently happens, that the enacting part of a Statute is extended beyond the scope of the preamble; and though the preamble, in a case of doubt, affords a useful guide to the intention of the Legislature, it will not be sufficient to restrain the effect of an enactment, where the words are clear, and the intention to embrace a larger field is apparent.

The 105th and 106th Sections are in terms confined to the complaints of natives; but in the 107th Section the language is changed, and a much more comprehensive form of expression adopted.

Before the passing of the 53d Geo. III. it was competent to a British subject, as plaintiff, to sue a native in the Zillah Court.

The 107th Section of the Act now provides, that all British subjects who shall reside, carry on trade, or occupy immoveable property at a distance of more than ten miles from the Presidency, shall be subject to the jurisdiction of all District Courts, having cognizance of civil suits on matters of Revenue, in all actions and proceedings of a civil nature, and in all matters of Revenue, except as therein excepted, *in the like manner as natives of India* and other persons not being British subjects *are now liable* to the jurisdiction of such Courts under the Government Regulation. By the express terms of the enactment, a British subject is made liable to suit in the Zillah Court in the same manner as a native; and if a British subject could sue a native before the Act, it seems to follow that he may sue a British subject now. The objection to this construction is, that the whole object of these legislative provisions was to give relief to natives only, leaving British subjects in the same situation in which they stood before the passing of the Act; but though this may be truly said respecting the matters of the 105th and 106th Sections, it is evident that the 107th Section contemplated something more than suits on the complaints of natives, since British subjects are rendered liable to suit in the Zillah Courts, not only in all actions and proceedings of a civil nature, but in all matters of *Revenue*, which cannot, I apprehend, relate to the demands of natives.

It has been observed, that the appeal to the King's Court of the Presidencies is only given to British subjects *against* whom suits may be brought; from which an inference is drawn, that the clause was not intended to embrace cases where British subjects were plaintiffs. But to this it may, I think, be answered, that the British subject plaintiff is left in the same situation as he was before the Act. If he sued a native, he must appeal to the Court having the regular appellate jurisdiction from the native Courts.

By the Statute a British subject is made liable to jurisdiction of the Zillah Court in the  
same

same manner as a native ; if, therefore, a British subject would sue a British subject in the Zillah Court, he must sue him as he would sue a native, and appeal in the same way.

I can see no reason why such a decided difference of expression should have been adopted in the 107th Section from that which had been pursued in the two preceding Sections, unless a more extensive effect was intended to be given to the 107th Section.

LEGISLATIVE  
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&c.

Powers of  
Mofussil Court :  
Mr. Serjeant  
Bosanquet's  
Opinion.

COPY of Sir N. Tindal's Opinion on the same Subject.

I AGREE in opinion with Mr. Serjeant Bosanquet and Mr. Minchin, that the 107th Section must be considered as applying to the case of a suit in which both plaintiff and defendant are British subjects ; first, From the generality of the words in that Section, by which British subjects are made subject to the jurisdiction of those Courts, in like manner as natives of India ; and it is well known that natives of India were subject to the suits of British subjects in those Courts ; secondly, Because they are made liable to all actions and proceedings of a civil nature, and in all matters of Revenue, and questions of Revenue can only arise between British subjects and the Government ; and thirdly, Because by the 108th Section no British subject shall be allowed to sue any civil action against any person whomsoever in these Courts until he shall file a certain certificate, which shows that British subjects might maintain the character of plaintiffs, as the former Sections have shown that they might be defendants.

Sir N. Tindal's  
Opinion.

No. 16.

LETTER from the Judges of the Supreme Court at Calcutta, to the Secretary of the Board of Commissioners for the Affairs of India.

SIR :

Calcutta.

We beg that you will submit to the Right Honourable the President and Commissioners for the Affairs of India the following Statement, with the accompanying Papers.

Judges of  
Supreme Court  
to Board of  
Commissioners.

At the opening of the fourth Sessions of Oyer and Terminer and Gaol Delivery, in the last year, it appeared that four persons, either Hindoos or Mahometans, were in the gaol, under commitments by a Justice of the Peace, upon a charge, as to three of them, of being guilty of a burglary and larceny in the suburbs of Calcutta ; and as to the fourth, of having received the stolen goods after they had been carried by the others into the town. These circumstances having been brought by the Clerk of the Crown to the notice of the Chief Justice, before whom the Sessions were to be held, some further inquiry was made, and it was learnt that two of the prisoners, at least, were inhabitants of Calcutta, and that the case had been before the Provincial Court, which had disclaimed the cognizance of it, and had delivered the prisoners to the police of Calcutta.

The practice which has prevailed here has been for the magistrates to commit no persons, except such as are alleged to be " British subjects," for trial before the Supreme Court, unless the offence has taken place within the limits of Calcutta ; but the commitment



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&c

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Supreme Court  
to Board of  
Commissioners.

mitment in this case having been made, the Chief Justice did not see how he could discharge the prisoners without putting them upon their trial ; and he directed only that the indictment of the Clerk of the Crown should state the facts in such manner that any objections which the prisoners might be entitled to take should be apparent on the record.

The prisoners were tried and convicted, and the accompanying Papers are an office-copy of the record, and a copy of the Chief Justice's notes. No doubt is entertained of the guilt of the parties ; but the questions of law which are involved in the case are so important, and it has long been felt to be so desirable to have them determined, that as the prisoners had no counsel, and were not in a condition to prosecute appeal, all the Judges of the Court agreed from the first as to the propriety of submitting the case to the Board of Commissioners, in order that it might be laid before His Majesty's Most Honourable Privy Council as if it were an appeal, or that His Majesty's pardon might be at once obtained, according to the provisions of the 20th clause of the Letters Patent of 1774, if the circumstances should seem to call for it.

As the record stands, the question seems to be, 1st. Whether when the Supreme Court at Calcutta sits as a Court of Oyer and Terminer, its authority to try persons for offences committed beyond the limits of the town of Calcutta is restricted to the cases of those persons who are intended by the phrase " British subjects " (as that phrase is used in the Charter of the Court, and in the Statutes relating to India), and to persons in the service of the United Company, or of some British subject, or whether the authority extends generally to the subjects of His Majesty and to persons who are in their service. 2dly. If it extends generally to the subjects, then whether persons not of British descent, who are born under the sovereignty of the British Crown in India, are included in the term " subjects," as it is used in the 13th Geo. III. c. 63, s. 14, in the Charter of the Court, s. 19, in the 26th Geo. III. c. 57, s. 29, and in the 33d Geo. III. c. 52, s. 66. 3dly. If they are included, whether any other evidence is required to raise the presumption of a native prisoner being such subject, than that of his having been, at the time of committing the offence, an inhabitant of the British territories in India.

Upon the first point, it is perhaps unnecessary to mention that the terms " British subjects " and " subjects of Great Britain, of Us, Our heirs and successors, &c.," are supposed to have a peculiar signification in the Charters of the three Supreme Courts and in the Indian Statutes. Their import has never been precisely defined. It is universally admitted, that they include all persons born within the United Kingdom, or whose fathers or paternal grandfathers have been born there ; and unless the Island of Bombay, by force of the Charter of Charles the Second, forms an exception, that they do not include the natives of India who are not of British origin. But it is not well understood whether they do or do not include the subjects of His Majesty born in the West-Indies, Canada, and other British possessions out of India, or illegitimate children born in India of British persons, many of whom are Christians, receive their education in England, and on their return to India associate with the principal classes of British society, and frequently intermarry with British persons. The prevailing opinion is, that these are not " British subjects," although an expression in the 21st Geo. III. c. 70, s. 16, seems to justify the supposition

sition that the Legislature has contemplated both British European subjects and other British subjects not European. One of the most cogent instances of its being necessary to construe the term "British subjects" in some restricted sense, is the 98th clause of the 33d Geo. III. c. 52, inasmuch as that clause prohibits all those whom the term does include from residing at a distance of more than ten miles from the seat of Government, unless under special license. Numerous other instances of the peculiar use of the expression may be found, especially in the Letters Patent by which the Supreme Courts at Madras and Bombay have been constituted (which in many important particulars have been varied from the Charter of this Court), and in the 53d Geo. III. c. 155, s. 101, 105, 107, 108. The 13th Geo. III. c. 63, s. 34, and the Charter of the Supreme Court at Calcutta, in s. 19, manifestly employed the words in a restricted sense; and it was therein directed that Juries should be formed of *British subjects and subjects of Great Britain* "of Us, Our heirs and successors," &c.; but the 13th Geo. III. c. 63, s. 14, and the latter part of the 19th clause of the Letters Patent, dropped the qualifying term "British," and provided that "subjects" generally should be liable to be *tried* for treasons, &c. committed any where within the Bengal Provinces, &c.; and the 26th Geo. III. c. 57, s. 29, makes all "subjects" who are resident in India amenable to the Courts of Oyer and Terminer for any murder or other offence committed between the Cape of Good Hope and the Straits of Magellan; and the 33d Geo. III. c. 52, s. 67, in like manner makes the "subjects" generally amenable for offences committed in the territories of Native Princes.

If a construction were to be given to the term "subjects" in these latter instances which should confine its meaning to persons of British birth or descent, the Court of Oyer and Terminer at this place would be prevented from taking cognizance of any crimes which might be committed beyond the limits of Calcutta and the factories subordinate thereto, by His Majesty's colonial subjects, or by the half-castes and other native Christians of India, or by any persons whatsoever born out of wedlock beyond the limits of the United Kingdom; and inasmuch as we apprehend that there might even now be some objections against trying the Christian natural-born subjects of His Majesty upon capital charges, especially treason, in the Provincial Courts, where the Mahometan law is administered and its forms observed, it would follow, that a large class of persons in India might have an immunity from punishment for the highest crimes. But when it is further considered, that at the time the Letters Patent of this Court were granted in 1774, the Provincial Courts of criminal law were held under officers of the Native Princes, and in their names; and that neither those nor any other Provincial Courts of criminal jurisdiction in Bengal had been recognized by the British Legislature, but only the Supreme Court and the Court of Quarter Sessions at Calcutta; it seems in the highest degree improbable that the Parliament could have meant to have excepted any classes of the natural-born Christian subjects of His Majesty, who might be resident in Bengal, from a liability to be prosecuted in those two Courts for their crimes and misdemeanours. These considerations lead us to conclude, that by the term "subjects" in the 19th clause of the Letters Patent of 1774, and in other passages where it occurs without the adjunct "British," the Crown and the Parliament must have meant generally the natural-born subjects of the King.

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&c.

Judges of  
Supreme Court  
to Board of  
Commissioners.

2. If this be so, it is next to be considered whether an exception can now be made of Mahometans and Hindoos, and other Indian natives, or any particular classes of them. We are aware of the old doctrines of the Common Law respecting infidels, but they have scarcely been acted upon since the Reformation; the Court of King's Bench would not avow them in the case of the East-India Company against Sandys in 1684; they were rejected and stigmatized by Lord Mansfield in the case of Campbell against Hall, in 1774; they were utterly irreconcilable with the British system of Government in India, and with many of the Statutes on which it is founded; and it seems to be impossible to maintain at present, that their religion makes the Hindoos or Mahometans incapable of the character and relation of subjects. A recent statute gives the right and liability to sit on juries to all those native inhabitants of Calcutta, Madras, and Bombay, who are not the subjects of any foreign state.

The proposition which seems to us to afford the strongest ground for contending that the Mahometan and Hindoo and other Indian natives are not generally liable to be tried, as subjects of the King, before the Court of Oyer and Terminer, for offences committed in the Bengal Provinces, beyond the limits of Calcutta and the factories subordinate thereto, is that of their being entitled, like the inhabitants of other ceded or conquered countries, to the use and privilege of the law which prevailed in each Province at the time it came under the sovereignty of the British Crown, unless it can be shown that subsequently, by some express, positive, and pointed enactment or ordinance, the former law has been abrogated, and that, in this view of the case, it is not sufficient to show, as to natives, that they, nor even that the class to which they belong, are now subject; but that it ought to be shown that they belong to a class which, in 1773-4, was intended by the term "subjects," as it was used and understood at that time by the Parliament.

Up to and at the period when the present Supreme Court was established by the Letters Patent of 1774, which were authorized by an Act of Parliament of the preceding year, the Legislature did not explicitly declare the Bengal Provinces, nor even the settlement at Fort William, and its dependencies, to be the dominions of the Crown; and although the 13th Geo. III. c. 63, is hardly intelligible, except upon the supposition of their being so in substance and reality, yet the Letters Patent of 1774 describe the settlement at Fort William as a "factory," with other factories dependent upon it; and the rights and powers of the Company and of the British Government in the interjacent provinces, are designated by the doubtful terms of territorial acquisition or possessions; which terms have continued in use even to the present time. It is, in truth, a matter of great difficulty to show with any certainty in what relation it was that the Legislature then meant it to be understood, that the Bengal Provinces and the inhabitants of them were placed; and although large powers over Hindoos and Mahometans resident within Calcutta and the factories dependent on it, and over the "subjects" of His Majesty in the territorial acquisitions, and other powers extending generally throughout every part of Bengal, Behar, and Orissa, were given by the Letters Patent, and were left untouched by the 21st Geo. III. c. 70, yet it was not made so clear as not to have been always matter of dispute whether the Crown or the Legislature then considered that any Hindoos or Mahometans, or other mere natives on this side of India, were, properly speaking,

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speaking, subjects of the King; neither is it easy to determine, in any case, at what periods precisely the dominion of the Mogul and other Indian Princes entirely terminated, and that of the Crown was established; but we think a fair construction of the 13th Geo. III. c. 63, and of the 21st Geo. III. c. 70, especially the 19th clause of the latter, leads to the conclusion, that even then the Legislature considered that there were native subjects; and at last the sovereignty of the British Crown over all the territorial acquisition was unequivocally asserted in 1813, by the 53d Geo. III. c. 155. We apprehend that since that time, at least, the British territories in India have been the declared dominions of the Crown, and that all persons born therein are His Majesty's subjects.

It would seem, therefore, to be necessary to state the law by which the Mahometans and Hindoos, and other natives of India, although they may be subjects of the King, yet unless they are in the service of the Company, or of some British subject, are usually considered to be exempted from the jurisdiction of the Supreme Court for offences committed beyond the limits of Calcutta. In this way the term "subjects," as used in the Letters Patents of 1774, comprehended only those classes of persons who were plainly recognized as subjects of the Crown at that time; and it had not then been declared that the Hindoos and Mahometans and other Indian natives were subjects. The latter Statutes, which have made use of the same term, with reference to the Letters Patent, or to any matters dependent on them, have used it in the same limited sense; and even so late as in the Statute 33 Geo. III. and the others which have been before mentioned, the word "subjects" means and comprehends only such classes of persons as had been claimed or recognized for subjects in 1774.

It would not, perhaps, have occurred to the present Judges of the Supreme Court to have laid down this rule of construction, if they had been called upon to look at the statutes, without any reference to usage. But it is certain that an usage has prevailed, of proceeding as if that part of the jurisdiction of the Supreme Court which belongs to it as a Court of Oyer and Terminer, did not extend to the mass of the Indian population beyond the limits of Calcutta; and it is scarcely necessary to observe, that if it did, it could not be effectually exercised. We should be at a loss, however, to say upon what legal grounds any class of the Indian natives could be considered to be not personally liable to the Court of Oyer and Terminer for crimes committed in any part of the Bengal Presidency, if it could be shown that they were of any class which in 1774 was manifestly and unquestionably subject to the Crown; and it seems to be, at the least, very doubtful whether natives of Calcutta must not have been so.

Being, however, impressed with a sense of the obligation and importance of observing cautiously every subsisting usage (which is not illegal), where the jurisdictions of two distinct and very different systems are to be experienced within the same territories, we have anxiously sought for grounds and reasons of law on which the usage which we have stated might be supported; and having pointed out the best and plainest which we are able to find, we are willing to rest upon them, such as they are.

3. If the rule we have stated be the true one, it would seem to be necessary in all cases where a party is indicted for any offence committed beyond the limits of Calcutta, to require proof, not only of his being a subject of His Majesty, but of his being of some class or description of persons who, in 1774, had been recognized as subjects, or of his

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being in the service of the Company or of some subject; and inasmuch as in this case there was no regular and full proof of any of the prisoners being subjects, although two of them were at the time inhabitants of Calcutta, and the others resident in the suburbs, we submit to the consideration of the Right Honourable the President and Commissioners, the propriety of soliciting for the prisoners His most gracious Majesty's free pardon, according to the provisions of the twentieth section of the Letters Patent of 1774, or of laying the case, if it should be thought more adviseable, before His Majesty's most honourable Privy Council.

From the manner in which the locality of the offence has been stated in the indictment, which contains no averment of the vicinity of Kidderpore to Fort William, it is not, perhaps, material to add, that the house in which the burglary was committed, though beyond the present limits of Calcutta, is immediately adjoining to them, and was proved at the trial to be so, and consequently is within that district of ten miles round Fort William, throughout which the jurisdiction of a Court of Oyer and Terminer was established by the Letters Patent of 1726 (the 12 Geo. I.) and within which British persons have unrestricted permission to reside. The expression used in the Letters Patent of 1774, of factories subordinate to Fort William, has now no application, for all the factories are merged in dominion.

It is, no doubt, needless for us to crave the attention of the Right Honourable the President and Commissioners to the painful difficulties which are connected with the unsettled and vague state of the laws under which the Court has to exercise, in the provinces, a jurisdiction in some cases concurrent, and in others conflicting, with that of the Provincial Courts; so that, in instances of the highest degree of criminality known to the law, it may chance to be the intricate question, whether a culprit is amenable to this Court or to others; and with respect to those Christian persons, born or residing in the provinces, who are not British, according to the interpretation put on that term, there are some who maintain the opinion, that for any offences above the degree of a misdemeanour, they are not amenable to either jurisdiction; and there are others who hold that a man may be amenable only to our Court as a British, whilst his wife, as a half-caste Christian, may be amenable only to the Provincial Courts, or *vice versa*.

We are sensible that it is no right of ours to make or even to suggest alterations of the laws, but to administer them as they are. We hope, however, that we have not done more than was called for on this occasion, by adverting to the perplexities which in some instances have arisen out of the present imperfect provisions, and of which the progress of time, the general understanding of the sovereignty of the Crown, the increase of the European and native Christian population, and their dispersion through the provinces, have a tendency to make a recurrence more frequent. We shall be at all times ready to suggest the best remedies that we can think of, if it is desired that we should do so; or in any other way in which it is possible for us to render assistance in correcting what is defective, our utmost endeavours may be commanded. In the mean time we shall continue to do the best we can with the law as it is.

We would gladly have spared the Right Honourable the President and the Commissioners the trouble of taking this case into their consideration, but many circumstances, and some of recent occurrence, appear to us to make it necessary for the due administration

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administration of justice, that the relations in which the native subjects stand should be rendered as free from doubt as possible; and many reasons have satisfied us that this cannot be effected to any good purpose, except by a reference of the matter home. If more delay has taken place in the present case than was to be desired, we hope it will be attributable to its true cause, the anxiety which we have felt to state with caution the conditions of the important question of which we seek a resolution.

The occurrences which have taken place at Bombay, though they have increased our anxiety in preparing this statement, are not so connected with the case as to depend on the decision of it; the present question being confined to the jurisdiction of the Court of Oyer and Terminer, and that which has arisen at Bombay, relating, as we apprehend, to the powers of the Court there as a Court of King's Bench.

We are, &c.

LEGISLATIVE  
COUNCILS,  
&c.

Judges of  
Supreme Court  
to Board of  
Commissioners.

## No. 17.

CORRESPONDENCE with the Nizamut Adawlut and the Magistrates of the Suburbs of Calcutta, respecting Khodabux, Saduttoolah and Challaroo; marked (A. B. C. D.) (Judicial Department.)

(A.)—LETTER from H. Shakespear, Esq., Secretary to Government, to W. H. Macnaghten, Esq., Register of the Nizamut Adawlut.

SIR:

Council Chamber, 16 June 1829.

I am directed by the Right Honourable the Governor-General in Council to request that the Court of Nizamut Adawlut will report the particulars of the case noted in the margin,\* in which the prisoners were acquitted by the Judge of Circuit for the division of Calcutta at the gaol delivery of the suburbs of Calcutta for the monthly sessions of June 1828.

Correspondence  
with  
Nizamut Adawlut  
and Magistrates  
of Suburbs.

2. It appears from the Form, No. 5,† which accompanied your Letter, dated the 15th of

\* Khodabuksh, Saduttoolah, Shallaroo, prisoners: charged with burglary and theft, and participating in the division of the plundered property.

† (Form No. 5.)—ABSTRACT STATEMENT of PRISONERS Acquitted by the Judge of the Court of Circuit for the Division of Calcutta at the Gaol Delivery of the Suburbs of Calcutta for the Monthly Sessions of June 1828.

No. of Calendar.	No. of Prisoner.	Names.	Sex.	Age.	Religion or Caste.	Profession.	Crime charged, and when alleged to have been committed.	Acquitted for want of Proof of Guilt, or on clear Proof of Innocence.	Sentence of the Court of Circuit, when passed	EXPLANATION and REMARKS.
1	1	Khodabuksh.	Male.	53.	Moosulman.	Khansamah.	Burglary and theft, and participating in the division of the plundered property.	For want of Proof of Guilt.	20th July 1828.	There was no proof against the Prisoner, as appears by the Proceedings, which have been submitted to the Superior Court for their final sentence on the Prisoner, Ashkur Khansamah. Vide Letter, dated 2d July 1828.
	2	Sadutdoloh.	ditto.	27.	ditto	ditto	ditto	ditto	ditto.	
	3	Shallaroo.	ditto.	28.	ditto	ditto	ditto	ditto	ditto.	

Belvidere, 11th August 1828.

(Signed) ROBERT BROWN, Third Judge.

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Correspondence  
with  
Nizamut Adawlut  
and Magistrates  
of Suburbs.

of August 1828, that there was no proof against the prisoners, and that the proceedings were submitted to the Nizamut Adawlut for their final sentence on another prisoner named Ashgur Khansamah.

The Governor-General in Council desires to know whether any, and what, orders were given for transferring the above-mentioned prisoners to the custody of the Magistrates of the town of Calcutta, as he understands they were afterwards committed to take their trial before the Supreme Court, and were convicted of the burglary charged against them.

I am, &c.

(A true Copy :)

(Signed) H. SHAKESPEAR,  
Secretary to Government.

(B.)—LETTER from W. H. Macnaghten, Esq., Register of the Nizamut Adawlut, to Henry Shakespear, Esq., Secretary to Government in the Judicial Department.

SIR :

Fort William, 26 June 1829.

I am directed by the Court of Nizamut Adawlut\* to acknowledge the receipt of your Letter, dated the 16th instant, requesting to be made acquainted with the particulars of the case of Khoda Buksh and three others, who were charged with burglary and theft, and receiving plundered property ; three of whom were acquitted at the gaol delivery of the suburbs of Calcutta for June 1828, and the fourth of whom, namely, Ashghur Khansamah, was released by the order of the Nizamut Adawlut, under date the 16th of July last.

2. In reply, I am directed to submit the accompanying Copy of a Letter of reference which accompanied the proceedings sent by the late Third Judge of the Calcutta Court of Circuit for the final order of this Court, from which his Lordship in Council will perceive that the prisoner Ashghur was acquitted of the burglary by the Court below ; and with respect to the receipt of plundered property, of which offence the law-officer of the Court of Circuit declared him convicted, a reference was made to this Court on a doubt as to the jurisdiction.

3. On reference to the Persian proceedings, it appears that there was no evidence to the actual commission of the burglary against any of the prisoners forthcoming before the Court of Circuit ; that suspicious property was found in the house of Khoda Buskh, though it turned out to be his own, from the evidence of the witnesses examined. It appeared also, from the deposition of one Ahnud Khan, that the prisoners, Ashghur and the rest, were seen in the house of Buksh Khoda, in Colingah, selling the plundered property to Mooteram, who borrowed from one Jughohun the money to pay for it. This Jugmohun deposed to having sent to Moteeram a 100 rupee bank note (No. 2,916) ; and a note of the same number was deposited by Ashghur with one Chedam Dutt, as appeared from the evidence of the said Chedam. This circumstance, together with the fact

\* Nizamut Adawlut.—Present: W. Leycester, Esq., A. Ross, Esq., C. T. Seally, Esq., R. H. Rattray, Esq., and M. H. Turnbull, Esq., Judges.

fact of the plundered property being found in the house of Moteeram, was held sufficient to bring home the criminal receipt and disposal of the property to Ashghur.

4. I am directed to add, with reference to the last paragraph of your Letter, that the Court did not issue any orders for transferring the prisoners to the custody of the Magistrates of the town of Calcutta, the whole of them having been acquitted of the burglary by a competent authority; and the case of Ashghur, as involving the charge of participating in plundered property, having been referred solely on the question of jurisdiction. This point having been determined in favour of the prisoner, and the Judges by whom the case was revised considering that all the proceedings held in regard to Ashghur were null and void, they were of opinion that he was entitled to his release, which was ordered accordingly, without reference to the guilt or innocence of the prisoner; which question was not entered into by the Nizamut Adawlut.

I am, &c.

(Signed) W. H. MACNAGHTEN, Register.

Correspondence  
with  
Nizamut Adawlut  
and Magistrates  
of Suburbs.

LETTER from R. Brown, Esq., Third Judge of the Calcutta Court of Circuit, to  
W. H. Macnaghten, Esq., Register of the Nizamut Adawlut, Fort William.

SIR :

Belvidere, 2d July 1820.

I have the honour to transmit, for the consideration of the Nizamut Adawlut, the trial noted in the margin.\*

2. The prisoner Asghur was committed for trial, along with three others, who had been released, as an accomplice in a burglary committed within the suburbs of Calcutta, and for participating in the division of the plundered property.

3. I concur in the futwa of the Kazeo of this Court, which acquits him of the burglary, and convicts him of having had stolen property in his possession, knowing it to be stolen; but as the evidence proved his possession of the property at Colinga, within the limits of the town of Calcutta only, and not at any place within the jurisdiction of this Court; I do not think myself competent to pass sentence, and therefore transmit the proceedings for the orders of the Nizamut Adawlut.

4. I beg to remark, that Moteeram Zurgur, to whom the property was sold, and in whose house at Colinga it was found, was not committed, on the ground of his not being liable to be tried out of Calcutta. He asserted before the Magistrate, that the property was his own, and named witnesses to prove that assertion, whose examination would have rendered the evidence respecting Asghur more complete; but I did not think it necessary to postpone the trial for their attendance, being perfectly satisfied that this Court had no jurisdiction in the case.

I am, &c.

(Signed) R. BROWN, Third Judge.

A true Copy:

(Signed) W. H. MACNAGHTEN, Register.

\* Calcutta Court of Circuit.—Suburbs of Calcutta, Trial, No. 1, of the Calendar of the Monthly Sessions of June 1820. Bebee Het, *alias* Muss. Barmoo, *versus* Asghur Khansamah.—Charge: Burglary and Theft, and participating in the division of the plundered property.



# 1122 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c.

Correspondence  
with  
Nizamut Adawlut  
and Magistrates  
of Suburbs.

(C.)—LETTER from H. Shakespear, Esq., Secretary to Government, to the Acting Magistrate of the Suburbs of Calcutta.

SIR:

Council Chamber, 7th July 1829.

At the June Sessions of 1828, three prisoners, noted in the margin,\* were tried and acquitted by the Third Judge of the Calcutta Provincial Court; and the proceedings in regard to a fourth prisoner, named Ashgur Khansamah, were referred for the final sentence of the Nizamut Adawlut, by which Court he was released on the 16th of July last.

2. As it appears that the prisoners were afterwards tried before the Supreme Court, I am directed by the Right Honourable the Governor-General in Council to desire you will report whether the prisoners were transferred to the custody of the Magistrates of Calcutta, and if so, by what authority and upon what grounds.

I am, &c.

(Signed) H. SHAKESPEAR,  
Secretary to Government.

(D.)—LETTER from J. Thomason, Esq., to Henry Shakespear, Esq., Secretary to Government, Judicial Department, Fort William.

Fouz Adawlut, Suburbs of Calcutta,  
13 July 1829.

SIR:

In reply to your Letter to my address, dated the 7th instant, I have the honour to report the following particulars:—The three prisoners, Khudabuksh, Sadutoollah, and Challaroo, were released, agreeably to the Circuit Judge's orders, on July 5th, and Ashgur Khansamah on July 31st, in compliance with the orders of the Nizamut Adawlut. On their release they were sent by the Magistrate to the Calcutta police, that investigation might be made into their character, as they were inhabitants of the town. The Magistrate also conceived that their presence would be necessary in the trial of Mootce Ram, who had previously been sent to the police for the investigation of a crime which he was accused of having committed within the precincts of the town.

I have, &c.

(Signed) J. THOMASON,  
Officiating Magistrate.

No. 18.

MEMORANDUM on the Recorder's Court at Singapore, Malacca, and Prince of Wales' Island, by Mr. R. Fullerton.

Mr. Fullerton's  
Memorandum on  
Recorder's Court  
at Singapore.

THE revenues of these Settlements generally will be found much reduced this year, the causes of which are as follows: The Grand Jury at Singapore having made a presentment against the Gambling Farm, that item ceases of course, and reduces the revenue

\* Khodabuksh, Sadatullah, Shallaroo, charged with burglary and theft, and participating in the division of the plundered property.

revenue by 71,200 rupees. The same cause reduces the same item at Malacca 9,598; for though the Jury did not present, the Judge in his speech declared it illegal. The other farms at Singapore were sold for the year; but for the principal one, the Opium Farm, the biddings have fallen considerably, under the idea entertained by the people, that gaming is not worse than smoking opium, and that the farm will be, like the other, presented by the Jury in the course of the year. Another inducing cause of reduction is the difficulty of punishing breaches of the Farm License. It has hitherto been and is done now by the Magistrates, *who are civil servants*; but such is understood not to be strictly legal, and fears are entertained that that mode of proceeding will be discontinued. The principal farms at Prince of Wales' Island have also been sold far under their usual amount. The causes are very clear. The punishment for breaches of the Farm Regulations used to be enforced by simple application and proof before the Magistrates. This has, at Penang, been declared illegal by the present Recorder. A suit in Court is necessary in every case, and such is the difficulty, delay and expense of such a process, that the renter can hardly resort to it. Several suits were brought on last year, under the assistance of the Government Law Agent, in order to establish by a decision the legality of the tax under Act 51 Geo. III. cap. 105, as being a tax existing and in operation at the date of the Act; but they all went off before coming to the merits, on some technical informality in the process. I always anticipated a great loss and difficulty in collecting the revenue, as the result of the first holding of the Court at Singapore before the professional Judge, because the people were for the first time to see a separate and distinct authority from the Government set up, through whom alone revenue demands can be enforced. In the case of the lands and grounds, for example, they were all made over to the present occupants, on documents called "Location Tickets," which declared the land *subject to such terms and conditions as might hereafter be imposed*. The process going on has therefore been to call on the Location Tickets, measure the ground regularly, and then give the permanent lease, subject to a quit-rent settled with reference to situation. Until this process has been gone through, it was not usual for the occupier to pay rent. The substitution, however, of the permanent lease for the Location Tickets has been going on under the authority of the Executive Government, and of course the revenue from the quit-rents has been gradually increasing. The case is now changed; the holders of the Location Tickets and of the lands finding the legal process under the intervention of the Court a previous measure, decline receiving the leases and paying rent, and hold on free until compelled by law; and we shall probably have to file many thousand writs of ejectment, when there would not have otherwise arisen a question of doubt. Here again we are to inquire, under what rule or law are such questions to be tried? And this brings me to the explanation of the radical cause why revenue cannot be raised in these eastern countries. On the continent of India, the Governments are invested with legislative power, and that power is exercised in prescribed form, by the enactment and promulgation of laws registered in the Judicial Department, under the term of Regulations. Those Regulations, besides providing for the forms of administering justice, define the relative rights of the Government and the subject, and prescribe the mode under which those rights are to be inferred on the one part, maintained on the other, by application to local Provincial Courts,

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Mr. Fullerton's  
Memorandum on  
Recorder's Court  
at Singapore

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Mr Fullerton's  
Memorandum on  
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at Singapore.

bound to act according to those Regulations. The Supreme Courts have no jurisdiction in any matters of revenue, or the collection thereof. In the Revenue Department, public officers hold summary powers of enforcing, in the first instance, all demands, whether for payment of arrears, ejecting from lands unduly held, leaving the *onus prosequendi* on the party supposing himself aggrieved, distraint when no arrear is due, or ejectment from lands properly belonging to him. It is only under the exercise of the summary process that the collection of the Government revenue in India is insured. In these eastern settlements the Government has no power of framing those legislative provisions. There does not, therefore, exist any distinct and clear definition of relative rights, or prescribed mode of enforcing and preserving them. There are no Provincial Courts acting under local law. Government possesses no power of enforcing its demands. The Court administering justice as a Revenue Court is a King's Court, framed on the English model, and taking the common law of England as its guide. Questions of revenue, therefore, whether arising from land or excise, fall to be tried under principles that have no relation or resemblance to the local situation of the country and its inhabitants. Before demands can be enforced, legal process in all the English forms must be resorted to; writs of ejectment must be sued for; suits entered for arrears; delays, expences, doubts and difficulties arise, that render it easy for the people to evade the payment of all demands, and induce the officers of Government rather to abandon the demand, small in individual cases, though considerable in the aggregate, rather than encounter all the difficulties and go through forms which they cannot understand. Let us suppose, for example's sake, that the Supreme Court at Calcutta were at once declared the only Revenue Court; that every arrear of revenue, every question resulting from its collections or the occupation of land, were to be tried there in the first instance, under all its forms; would it be possible to realize the land revenue? Yet this in a small way is exactly our case. Singapore, indeed, is of recent acquisition, and the titles hitherto given have been in English form; but even at Singapore there is much land occupied without any title whatever; and unless something is done by regular enactment, possession will make a title, as it has done in this island, from the neglect of the local authorities. But how are we to regulate decisions at Malacca? There the sovereign right is one-tenth of the produce; the Dutch made over the right to certain of the inhabitants more than 100 years ago. This Government, by way of insuring increase of cultivation and introduction of population, redeemed the right. How are we to levy the tenth, if refused? The land tenures at Malacca bear no analogy or resemblance to any English tenure; yet by such they must, in case of doubt, be tried. Regulations adapted to the case have indeed been sent to England, but until local legislation is applied, and the mode of administering justice better adapted to the circumstances of the place, it seems to me quite useless to attempt the realization of any revenue whatever.

(Signed) R. FULLERTON,

Prince of Wales' Island,  
18 May 1829.

No. 19.

LETTER from the Judges of the Supreme Court at Calcutta to the Governor-General in Council, &c. &c. &c.

Garden Reach, Calcutta, 2 October 1829.

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&c.

Judges of  
Supreme Court  
to Governor-Gen.  
in Council.

RIGHT HONOURABLE LORD, AND HONOURABLE SIRS :

The important communication which was made to us by your Letter of the 14th of July, and by the numerous papers which accompanied it, has required, up to this time, all the attention which, consistently with our duties in the Supreme Court, we have had it in our power to give; and in order that our views might be more fully and freely stated, we have thought it best that each of us should state his own separately. If any part of them should require further explanation or development, we shall be happy to receive any additional communications which it may be your pleasure to make; or, if the expression of our concurrence in measures of the Government be desired, we shall be at all times willing to submit any representations to the authorities at home which may be in accordance with our opinions, as they are expressed in the documents which accompany this Letter.

We are, &c.

CHARLES EDWARD GREY,  
JOHN FRANKS,  
EDWARD RYAN.

No. 20.

MINUTE by Hon. Sir Charles E. Grey; dated 2 October 1829.

1. THE propriety of submitting to the authorities at home the formation of a Legislative Council in India, is the main subject on which the Judges are invited to give their opinions by Letter from the Governor-General in Council of the 14th July 1829. At present, three distinct powers of legislation are vested by express enactment in the Governor-General in Council, and the Governors in Council of the other Presidencies. The 13 Geo. III. c. 63, ss. 36, 37; the 39 and 40 Geo. III. c. 79, ss. 18, 19; and 47 Geo. III. sess. 2, c. 68, ss. 1, 2, purport to empower the Governor-General and Governors in Council, for the good order and civil government of the settlement at Fort William, Madras, and Bombay respectively, and all places subordinate thereto; to make any regulations not repugnant to the laws of the realm, and to enforce them by reasonable fines, forfeitures, and corporal punishments: but such regulations are not valid, unless the Supreme Court of the Presidency will register them. An appeal lies against them to the King in Council; and even without appeal, they may be set aside by His Majesty, under his sign manual. The 21 Geo. III. c. 70, s. 23, and the 37 Geo. III. c. 142, s. 8, the 39 and 40 Geo. III. c. 79, s. 11, and the 47 Geo. III. sess. 2, c. 68, s. 3, give a power to the Governor-General in Council, and Governors in Council, which in the first statute is limited to the regulation of Provincial Courts, with a proviso that

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the expenses of the suitors shall not be increased. But in the 37 Geo. III. c. 142. s. 8, the same power is mentioned as a power of making "a regular code," affecting the rights, persons and property of the natives and others amenable to the Provincial Courts.\* These laws also, I suppose, may be disallowed by his Majesty in Council;† but they are not directed to be registered in the Supreme Court, and in practice, I apprehend, are from time to time altered, according to orders from the Court of Directors and the Board of Commissioners for the Affairs of India. Lastly, by the 53 Geo. III. c. 155. ss. 98, 99, 100, the Governor-General and Governors in Council in their respective Presidencies, with the sanction of the Court of Directors and of the Board of Commissioners, may impose duties and taxes within the towns of Calcutta, Madras, and Bombay; for the enforcing of which taxes, regulations are to be made by the Governor-General and Governors in Council, in the same manner as other regulations are made; which manner, as I have shown above, is twofold; and the statute supplies no further directions to the Governor-General and Governors in Council to guide them in their choice between the two courses. For the levying of fines and forfeitures for breaches of these regulations, the Advocates General of the Company are directed to file informations in the Supreme Courts and the Recorder's Court at Bombay; but the Recorder's Court has since been abolished; and in the Letters Patent by which the Supreme Court has been substituted in its room, it is declared that the Court has no jurisdiction in any matters of revenue either within or beyond the limits of the town of Bombay. Besides these three powers of legislation, a general power of altering the revenue and of imposing new taxes has been exercised within the provinces, and is alluded to more than once in acts of Parliament; but as there is no act which expressly confers it, I suppose it rests on the grant of the Dewanny, and on those statutes by which general powers of Government and of ordering the revenues have been given or continued to the Company for limited periods.

2. These powers cannot be said to be remarkably well defined. The exercise of one of them has been extensive, beyond what seems to have been at first foreseen by the Legislature; and it is not that which in 1773 was designed to be the only one, which has in fact been the most considerable. That which was established by the 13th Geo. III. c. 63, has been almost a barren branch; and that which was given in 1781 expressly for the purpose of making limited rules of practice for Provincial Courts, has produced a new and extensive system of laws for a large portion of the human race. I do not mention this with any purpose of blame. I do not doubt that in most respects the results have been beneficial, and perhaps the course which has been pursued could not have been avoided; but it may be doubted whether the Parliament would approve of its being infinitely extended exactly in its present direction. That large powers of legislation must continue to be exercised in India, will scarcely be questioned by any one who will look into the many volumes of regulations which have been made by the Governor-General in Council in the last five-and-thirty years. What a variety of subjects

\* See also 39 and 40 Geo. III., 79, 20.

(Signed) C. E. G.

† If the 21 Geo. III., 70, s. 23, applies to them generally, they may not only be disallowed by His Majesty in Council, but amended.

(Signed) C. E. G.

jects are comprised in them to which it would have been a hopeless task to have solicited the attention of the British Parliament! But the question is, to what extent and in what manner may a subordinate power of legislation be best established? The most limited form in which this question presents itself, is, whether it would not be better that those regulations, which not only the law, but usage, now requires to be registered by the Judges of the Supreme Court, should be passed in a Council at which they or some other persons appointed by the Crown or Parliament should assist; and I have not much hesitation in saying that it would be better. It is desirable to keep the judicial branch of Government in a great degree distinct from the legislative; but the separation of these two is not of so much importance as that of the judicial from the executive; and a complete insulation of any one of the three persons is a refinement of government which has never yet been attained, probably never will be, and if it were possible, would not, perhaps, be beneficial. The King, who is an integral part of the British Legislature, can, of himself, in almost any case, take away the effect of a sentence of any Court of criminal jurisdiction in England. The House of Lords, which is another integral part of the Legislature, is also the highest Court of appellate jurisdiction, and has a capacity of original jurisdiction in some criminal cases. By bills of attainder and pains and penalties, the whole Legislature at times has acted with all the powers of a Court of penal Justice, and with some more. The Welsh Judges, the Master of the Rolls, the Masters in Chancery, and the Judges of the Ecclesiastical and Admiralty Courts may sit in the House of Commons; the Lord Keeper and all Judges who are Peers sit in the House of Lords. The Twelve Judges are called upon to declare the law in that House, as well as in the three Courts at Westminster; and they can scarcely so restrict their opinions as not to influence in some degree questions of expediency as well as law. The King in Council is, for many purposes, both the Legislature and the Appellate Court of Judicature for several of the Colonies: and in Canada and Ceylon and New South Wales, and at the Cape of Good Hope, I believe that Judges are members of Legislative Councils constituted under recent acts of Parliament. It seems to me, therefore, that there is nothing to prevent the Parliament, if it should think fit, from imposing upon the Judges of the Supreme Courts in India the duty of assisting to form the regulations, on the legality of which they are even now required to decide before they have any force. For the expectation that some inconveniences might be prevented, and that advantages might be obtained by the Judges assisting in this way, many reasons are to be found in the lame results of the existing arrangement; in the questionable legality of some of the regulations, and especially in the history of the Stamp Regulation, which must be fresh in the recollection of the Government: but I am aware also of certain inconveniences which would be peculiarly connected with the introduction of the Judges of the only Court in which British law is administered into a Legislative Council, which must of necessity be subordinate not only to British legislation, but in many respects to British law. Incongruities of relation between the ordinances of any subordinate Legislature and the primary laws of the United Kingdom might be overlooked or misapprehended in a Council, even though Judges might belong to it; and these being afterwards ascertained by the keenness and vehemence of public censure, the Legislative Judges might have as Judges to condemn what as legislators they had sanctioned or recommended. In

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other instances, where the legality of a regulation might be merely doubtful, they would be suspected of an inclination to support the work of their own hands. To avoid, at all events, the possibility of the Judges being compelled against their will, by a majority in the Council, to pass any regulation which might be justly liable to such objections, it would seem to be almost necessary that they should retain amongst them that power of prevention which they now possess by means of their right to refuse registration. If the Supreme Court, however, were to become a Court of only appellate jurisdiction, there would be less objection than at present against any legislative functions of the Judges. Upon the whole, I express my opinion, that it would be better that the Judges should assist in Council in passing regulations, than that they should have only, as at present, the right of directing or forbidding the registration of them; but that in some way or other they ought, in that case, to retain the power of preventing the Council from passing regulations incompatible with the basis of any laws which, as Judges, they might afterwards have to administer.

3. This opinion, inasmuch as it applies only to those regulations which in usage have been confined to the town of Calcutta, covers but a small portion of the subject offered for our consideration. Ought there to be in India one or more legislative bodies for all India? What limits ought to be put to the power? Should it deal with every thing which is the subject of law? Should it legislate for all classes of persons? To what review should its ordinances be subjected? Of what persons should it consist? By whom should they be appointed? For what periods of time? What rights and powers should each of them possess?

4. That there must be a power in British India of passing some sort of regulations for every part of it, seems to be indisputable. The first and most obvious limit of such a power is, that it should not make any ordinance inconsistent with any Act of the Imperial Parliament applying to India. Another is, that the power must not extend to the alteration of any part of the unwritten law of the British constitution, on which depend the relations of British India or its people with the United Kingdom. It must not in any way vary the law of treason, or affect any rights of the Crown or of Parliament, or those which may be derived by any foreign state from treaties entered into by them with the British Crown. Some other specific limitations would probably occur upon further consideration of the subject; but I have no reluctance to declare my opinion, that by a general and vague prohibition against enacting any thing "repugnant to the laws of the realm," an Indian Legislature must be so embarrassed as to be incapable of acting with any good effect. Those words, which are employed in the 13 Geo. III. c. 63, s. 36, had long before been used as limitations of legislative powers granted to Governments in the American and West-Indian Colonies; but in some instances they have been afterwards abandoned; in others they have been disregarded; and in others they have been productive of embarrassment and confusion.\* They are so loose that no two lawyers construe them

\* See Black. Comm. 106. Rymer's Fodera, xvii. xix. Edward's Hist. of the West-Indies, vol. ii. p. 391; vol. iii. p. 298. Stoke's Colonial Law, 14, 21, 22, 23, 27, 155 Campbell v. Hall, 20. St. Tr. 249. In the American Colonies, the words "as near as conveniently may be agreeable to the laws and statutes of the Kingdom," were in some instances substituted. Edward's Hist. of W. I., vol. iii. 364. Stoke's Colonial Law, 251.

them in the same sense. Some will affirm that any wide difference is a repugnancy ; others, that no two laws which can exist are repugnant to each other ; some, that we may not make regulations *præter legem* ; others, that they may be made *præter*, but not *contra, legem*. These points were contested before the Privy Council upon Mr. Buckingham's appeal against the Press Regulations ; and after the Supreme Court at Calcutta and the Privy Council had decided that the regulation at Calcutta was not repugnant to the laws of the realm, it was decided that it would be repugnant at Bombay by Sir Edward West ; than whom there never was a Judge of purer integrity, nor usually of a more accurate perception in matters of law. If we construe these words as meaning only an incompatibility with some primary law or some statute of the United Kingdom, applying to the place in which any new regulation may be proposed, it is not easy to bring within the limitation which they would impose, the laws passed in the American Plantations and in the West-Indies, by which the slavery of negroes was constituted, and Christian men and women, down to a very recent period, were bought and sold in markets, and were either inherited as real estate, or were bequeathed by will as part of the live stock of the testator. Yet those laws were not only permitted to stand, but on several occasions, in the course of the eighteenth century, were taken by the British Parliament as the basis of additional laws ; and all persons are bound to consider that they were not incompatible with the laws of the realm. It has for some time been known to the Parliament that in this country the Government have felt themselves obliged to permit women to burn themselves to death, and others to assist them. It is clear also that no legislation for India could at present be applied to the Mussulman or Hindoo population without acknowledging the usage of polygamy amongst them, and the rights of inheritance resulting from it. Other instances might be adduced, but these, perhaps, will be sufficient to show, that the due consistency of Indian law with the law of the United Kingdom cannot be provided for by loose and general prohibitions of repugnancy between the two ; but that it ought to be secured by specific limitations of the subordinate legislative power.

5. It seems to me desirable, that within this Presidency, at least, there should be but one Legislative Council, and that its power of legislation should extend to all persons as well as places. I do not mean that it would be possible at once, or within a given time, to subject all persons or places to the same law : but approaches might be made towards that distant end : and in the meantime the troubles produced by different streams of law running in adverse directions within the same channels, might be more easily managed than at present. The maintaining of British law, and the rights of the British Crown, and of British persons, by one sort of legislation, whether it be in or out of India, and of Hindu and Mahomedan institutions and the supposed interests of the Company, and of the Hindu and Mahomedan inhabitants of the province by another, only perpetuates the confusion and disorder of the system which comprehends these unreconciled elements. Rather than that so many sorts of law should continue to work together in the same places, I would prefer to see each Presidency divided into two or more districts, in each of which there should be a different but a single and uniform system of Regulations. A district extending fifty or sixty miles round Calcutta in every direction might be a country large enough at present for the permanent residence of any British capitalists or adventurers who might be permitted to establish manufactories, or to superintend any other speculation

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speculation or establishment; yet not so large but that a journey of less than four-and-twenty hours would bring a person from its extreme limit to the capital. Within this circuit might be established for all persons the law which is now administered by the Supreme Court. It is far from being merely English law, and is the only law in Calcutta whether for British persons, Hindus, Mahomedans, or any others. In the bulk of the provinces, the Regulations of Government, and that system of law which is administered by the Sudder Dewanny and Nizamut Adawlut, might be the sole law of all persons who might choose to be the inhabitants thereof; and in other provinces, if it were necessary, some modification of this latter system, or martial law, if severe necessity should require it, might be established or discontinued by proclamation. I am aware that the first thought which will strike many persons upon this suggestion will be that of "the Irish pale;" but from the difference of the time, place and circumstances, and improved principles of Government, I should expect the immediate consequences to be very different. I offer the suggestion only as something less inconvenient than the present state of the laws in India, and as a temporary expedient; and if it were to be adopted, it would be necessary to provide, by specific Regulations, for the execution within each district of the process of the Courts of the other. An active and efficient Legislature, with powers extending over all persons and places, would make it unnecessary to resort to any such measure; but on the other hand, it may be doubted whether the present state of things, which I believe to be unexampled in the history of the world, can last much longer. Throughout the greater part of India there are to be found some individuals at least of four distinct classes, each of which is supposed to live under a distinct system of law, and to have different rights and different duties, but none of them accurately defined. There are persons born in the British Islands, Hindus, Mahomedans, Asiatic Christians, and besides all these, there are in many parts, foreigners and subjects of Great Britain, who have been born neither in the British Islands nor in India, as to whom, I believe, there is no one who, consistently with usage, can say, with any just confidence, what law it is which applies to them. Hitherto it has been possible to make a shift; but as the native Christians, British and Colonial persons, and foreigners shall increase in numbers and pervade India, a result which must gradually take place, matters may be brought to such a pass as would scarcely be tolerable.

6. By every one who is at all acquainted with India, it will be felt at once, that in forming a legislative body, all notions for a time, beyond the foresight of man, must be excluded of any election by any class of the people, and for the present, of the admission of any Indian persons. The utmost which can be expected now is, that a legislative council should include persons of the British class, who would feel it to be their duty and inclination to look to the preservation, in their due proportions, of the rights of the several bodies politic in whom the sovereignty and powers of Government are vested, and to the promotion of the common interest of all classes of the people, and of the several interests of each, and who might be expected to be able to supply the various information which would be required in legislating for such a subject matter, and such complicated relations as India and its people present. There might be first the Governor-General and his Council. Secondly, either the existing or some former Judges of the Supreme Courts, or some other English lawyers; and these ought, not in name only, but in reality, to be selected by the Crown. Thirdly, the Bishop of Calcutta, or in his absence,

absence, the Archdeacon, unless some of the considerations, which I have before suggested, should be thought to be inconsistent with the Bishop's taking a part in the general proceedings of the Council. Fourthly, one or more of the civil servants, learned in Mahomedan and Hindu Law, and familiarly acquainted with the Government's Regulations, the habits of the Natives, and the institutions through which the provinces are governed; these might be nominated from time to time by the Governor-General. Lastly, it seems to me desirable that the Governor-General should have a power and option of appointing annually one merchant or planter, being a natural-born subject of the King, of substance and respectability, and who should have resided at least five years in India. Under these arrangements there would probably be found in every member of the body respectable talents and acquirements; in all (unless it might be some one newly arrived in the country) a considerable knowledge of Indian affairs; but especially in two out of the four Members of Council and in the other civil servants, by whom also, and by the Judges or English lawyers, sufficient legal information ought to be supplied; each of the others would bring his peculiar store of experience and knowledge. In all there might be a tolerably impartial regard to the interests of all classes of persons; but as the Government of India is at present constituted, it might be expected, perhaps, that it would be the inclination, and peculiarly in the power of two of the Members of Council and of the other civil servants, to watch over the rights and interests of the Hindu and Mahomedan population and the East-India Company; of the Judges or English lawyers to guard those of the Crown and of the British population, of which the trading interests might be further attended to by a member appointed annually from that class. In addition to a general charge of Ecclesiastical affairs, and of Christian institutions for the promotion of knowledge and religion, the Bishop might be expected to extend his especial care to the class of native Christians. The Governor-General would regulate the whole; and he alone ought to have the power of appointing the meetings of the Council for legislative purposes, and certainly ought to have a "*veto*;" but for the reasons stated in paragraph 2, it seems to me that the Judges, or other English lawyers appointed by the Crown, ought amongst them to possess a similar power, or that of suspending a Regulation until the authorities in England could be consulted in cases in which any primary law of the United Kingdom should appear to be violated. Indeed, whilst the Government of India rests upon its present basis, that of a temporary possession of the territories and revenues of the East-India Company, it is neither probable nor desirable that the Crown should ever consent that the members of a legislative council appointed by the Company, should have the power of altering the constitution of the King's Courts, in opposition to the opinion of the Judges. Whatever may be the use of the Supreme Courts in other respects, their existence, whilst the Government of India is moulded in its present form, is preservative of the dormant rights of the Crown; a vast and delicate matter which I do not wish to bring into discussion.

7. The most important, perhaps, of all considerations connected with this subject is that of the review to which all the acts of such a Legislature ought to be subjected from time to time, and of the control to which it ought to be liable at all times. It is an extremely inconvenient plan to send the scheme of a law to take two voyages of 14,000 miles each, and to be approved of in England before it is to have effect in India; but it is still worse if

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if it has subsequently to be tendered in India for registration. It might be provided, that every act of an Indian Legislative Council should, within one month, be sent to the Court of Directors and the Board of Commissioners, and that in the *next* Session after the receipt of it in England it should be laid before Parliament; and that the Court and the Board should have the power of repealing it within one year from the time of its having been made, but with a proviso that all persons should be saved harmless for any acts done under the Regulation before notice of its repeal should have been given in some specific manner. But a far more important and beneficial provision would be, that the Indian Council should, once in 7, 10, 14, or 20 years, form into one body of laws, and submit to Parliament the whole of the existing Regulations, in order that they might be sanctioned or amended. It would be desirable also to provide for the universal and accurate publication in India of all Regulations as soon as they should be passed; which perhaps would most easily be accomplished by confining to some one printing-press the privilege, that only the Regulations printed at that press should be received as evidence or taken notice of in the Courts of Justice, to which privilege, conditions for a sufficient and proper publication throughout India might be annexed.

8. As the greater number of the papers which accompanied the letter of the 14th of July relate to the constitution and to some of the proceedings of the Supreme Courts of Judicature, and many parts of them are written with great misapprehension of the subject, and in a tone of complaint, although the Governor-General in Council has not required that the Judges should reply to them, I conceive that it must have been desired that they should do so; and I will not pass them over without making an effort to produce a clearer understanding of the matter, for which purpose it will not perhaps be necessary that I should extend my remarks to any other documents than the Minute of the 19th February, and that in the Secret Department, dated April 15th, 1829. The manner in which the Judges at Calcutta are spoken of, not only in the letter of the Governor-General, but in that latter Minute, is in the highest degree gratifying to them; but they are a little at a loss how to separate entirely a part of the complaints which are made in the Minute of some of the acts of the Court from an implied censure of those by whom the Court is held. The case of William Morton against Mehdy Ali Khan, which was tried in the last year, is described as an assumption by this Court of a jurisdiction which the Legislature did not intend to confer; and it is said that a false allegation of debt was the ground of the action. It cannot be necessary for me to explain that, even if the affidavit was false, it neither shows any fault of the officers of the Court, nor any defect in its constitution. No Court can be so constituted as to be exempt from the evil consequences of perjury. But in fact there is nothing which warrants the assertion, either of the plaintiff's perjury, or of the Court having exceeded its jurisdiction. An affidavit of the debt is on the file of the Court, and has never been shown to be untrue. William Morton was nonsuited, not because he could not prove the debt, but because he could not meet some evidence of Mehdy Ali Khan's that the trade in Calcutta, which had been alleged to make him liable to the jurisdiction, belonged not to himself, but had been given by him to a young nephew, who lived in his house. The trial of that question left on my mind a very strong impression that the defence was a contrivance, and that the trade, which was very valuable and extensive, and in the course of which several ships had

had been insured at offices in Calcutta, always had been, and still was, the trade of Mehdy Ali Khan himself. An information was afterwards filed against William Morton by the Advocate General of the Company for a conspiracy, on which he was rightly acquitted. The objection made in the Minute to the jurisdiction of the Court is, that Mehdy Ali Khan was not a resident inhabitant of Calcutta. It is not always easy to say with certainty what the Legislature has meant in the statutes relating to India, but I have some confidence that even in the 21 Geo. III. c. 70, s. 17, it was meant that natives carrying on trade in Calcutta, but residing in some other place under British Government in Bengal, Behar or Orissa, should be liable to be sued in Calcutta upon their contracts, express or implied. The Act of the 21 Geo. III. c. 70, was preceded by that of the 21 Geo. III. c. 65, which, in s. 28, prohibits British subjects from residing, without special license in writing, any where except at one of the principal settlements, or within ten miles of it; and I can scarcely suppose that it was intended to put even those British persons who might establish themselves at Calcutta by leave of the Company, in such a position that they could have no legal remedy against any native trader or banker of Calcutta who might choose to live on the outside of the Mahratta ditch, unless by bringing an action in some Court, which at that time might have been really "Native," and held under some Mahomedan Judge, and to which, if it should have been at more than ten miles distance, British persons had not even the power of resorting, except by obtaining a special license in writing, which they had no right to demand. If the word "inhabitants" was used advisedly in the statute of 21 Geo. III. c. 70, it must have been known to those by whom it was inserted, that its meaning in the English law is not confined to residents, and I should suppose it to have been precisely for that reason that it was chosen. Lord Coke long ago had taught, that even as early as the Statute of Bridges, the word had been applied to persons who might be residents in foreign countries. The Committees of the House of Commons in cases of controverted elections before the 21 of Geo. III. must have had the legal import of the term more frequently under consideration than that perhaps of any other; and at a more recent period Lord Eldon has explained that the construction of this word in any statute must always depend upon the nature of the subject, and that inhabitancy may refer to residence, or be wholly independent of it. At any rate, he must be a bolder Judge than I am, who at this time will declare its meaning, in the 21 Geo. III. c. 70, to be that of residence only. It has always been a common practice with the natives to carry on an extensive trade, both foreign and inland, and to deal in money and securities for money in Calcutta, by the means of servants who are not worth a farthing, whilst themselves reside at Moorshedabad, Dacca, Patna, Benares, Furruckabad, or elsewhere, and any native resident at Calcutta may of course cease to be so at any moment at which he may find it convenient to be divested of that character. There is no Court at Calcutta which has any means like the Superior Courts at Westminster, when actions are commenced in them, of providing for the trial in the provinces; so that the mercantile persons in Calcutta might have to ask licenses to go about to half the Zillah Courts of India if they were to be obliged at present to sue those with whom they deal only in the neighbourhood of their dwelling-places. To have construed the word "inhabitants," however, in the declaration against Mehdy Ali Khan in the limited sense, beyond which it seems to be thought in the Minute of the 15th of

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April that it cannot be extended, except by some operations connected with the art of magic, would not only have been to establish a precedent at variance with the principles of justice, the rules of construction of the English law, and the ordinary course of the law of merchants in most of the civilized parts of the world, but what is more to the point, it would have been an abrupt and unauthorized abolition of the established practice and unvaried usage of the Court in which the declaration, on the faith of that usage being permanent, had been filed. I do not deny that natives residing at a distance are put to inconvenience by the application to them of the word "inhabitants." When the 21 Geo. III. c. 70, was passed, the writs of the Supreme Court ran only into Bengal, Behar and Orissa; since that time the Legislature and the Court of Directors have annexed vast territories to the Presidency, and put them on the same footing as the older ones. Actions may be commenced in the Supreme Court against persons who are resident at an immense distance. The Court has no means of providing a trial any where except at Calcutta; and there is only one Sheriff for a bailiwick of more than 1,000 miles diameter. I am not contending that we are placed in convenient circumstances, but that the Court has not perverted the law.

9. The second case brought forward in the Minute of the 15th of April is one which has not been before the Judges, but in which, I believe, a British partnership in Calcutta, upon making large advances to another British firm, had taken from them a bond and warrant to confess judgment, on which judgment had been entered, and when the debtors became insolvent, the judgment creditors took out execution, and the Sheriff seized all the property of the insolvent partnership on which he could lay his hands, including some stock in trade, indigo factories and other property in the provinces. Three objections are made in the Minute against these proceedings; first, that the property taken in execution lay at a distance from the residence of the British judgment creditors, whilst there were native creditors who lived near at hand: secondly, that some of the property taken by the Sheriff had not been paid for by them, defendants: thirdly, that the awe of the Supreme Court prevented the Collectors, Judges or Magistrates of the neighbourhood from interfering with the Sheriff in the execution of his duty. I am at some loss how to answer these objections, as they apply to the Court, but certainly not on account of the reasonableness of them. As to the last of them, I can only say, that I hope a due respect for the Court may be equally effectual in other cases of the same nature. The proceedings, as far as they are stated in the Minute, or as I have any knowledge of them, were in every respect regular, and except as to the amount of the debt, ordinary. At the time of their taking place, no law of bankruptcy or insolvency had been introduced into India; and of necessity each creditor of an insolvent firm had to take care of himself; the principles of the Bankrupt Laws cannot be acted upon except where the laws exist; and it would have been found to be an extremely inconvenient substitute for them, if any one had possessed the power of deciding that the creditors should be paid in the order of their vicinity to the dispersed property of the insolvent, or that a writ of execution against moveables should itself be immoveable or restricted to the limits of the town of Calcutta. Yet, if this part of the Minute does not point at some such expedient, I am unable to perceive what was meant to be the complaint. Power is given to the Court to hear and determine suits. What sort of a determination would it be if the defendant, by removing

removing himself and his goods and chattels, during the progress of the suit, beyond the limits of the town of Calcutta, might make execution impossible, and the judgment nugatory?

10. The third is a charge of a graver complexion, if it were to be taken according to what the letter of it would imply; but I am satisfied that the Member of Council by whom the Minute was written, did not advert at the time to what was implicated in this part of it. The case adduced is, that of the King against Khodabuksh and three others, which was tried by me at the fourth sessions of Oyer and Terminer for 1828. As this has been the subject of a communication from the Judges to the Government and to the Board of Commissioners for the Affairs of India, the Members of Council are now more fully informed of it than when the Minute was written; but there is some reason to regret that, upon erroneous information respecting matters which might have been easily ascertained, and in a document which, at the time when it was written, it was not likely I should ever see, there has been involved against me an imputation of "encroachment," and that I put four men upon their trial on a capital charge, "in order to establish a principle," which is believed to be contrary to law. It is now known to the Governor-General in Council, that I had never heard of the prisoners or their crime until after the sessions had begun, and long after they had been committed to the great gaol for trial, and though I read the depositions at the time, I do not now recollect what Justice of the Peace it was before whom they were taken. I was bound to deliver the gaol, and there was no method which I should have thought myself justified in pursuing by which I could have avoided to put the culprits on their trial. I might indeed have quashed the indictment by deciding that the averment was bad in law, which stated, that persons professing the Mahomedan or Hindu religion were subjects of the King, or I might have directed the Jury, that the word "subjects," in the 26 Geo. III. c. 57, and in some others, was supposed by many persons to have a meaning peculiar to the statutes respecting India; that the evidence did not show the prisoners to be within that meaning, and that except as to persons included by that term, the Provincial Courts now claimed to have an exclusive cognizance of crimes committed beyond the boundary of Calcutta; but as neither the Advocate General of the Company nor any one else defended these prisoners, I must have taken on myself the whole of the heavy responsibility, not only of allowing, but of making this complicated defence, which would not precisely have coincided with my own opinion, and in such circumstances I am inclined to believe that those in England to whom the case will be submitted, will think that I pursued a more considerate and prudent course in referring points so doubtful and so weighty to His Majesty in Council. I am informed by the letter of the Governor-General in Council, that three of these persons had been tried and acquitted in a Provincial Court, and there was some mention on the trial of the important fact of their having been before a Provincial Court, but without a plea of acquittal. I could not enter into any evidence of it, and I had no judicial information whether any of the parties had ever been tried or arraigned, nor any legal ground upon which I could have directed the Jury to acquit any of them; for that reason my impression was that the Provincial Court had merely disclaimed the cognizance of the case in the form in which it had been brought before them.

11. The only other objection which is stated against the proceedings of the Court at

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Calcutta is, that in compelling the performance of its decrees as a Court of Equity, it sequesters the rents and profits of land in the provinces, or appoints Receivers of them; and although it is admitted, that this is a power which has so long been exercised that it cannot now be disputed, it is said that an Advocate-General has been of opinion, that the Legislature did not intend to confer the power, but that it has been "assumed;" and it is added, that, by the appointment of European officers of the Court as Receivers of rents and profits of estates in the provinces, the Regulations of the Government for the administration of the provinces are set at naught. The Supreme Court, under the 18th clause of the Letters Patent of 1774, is a Court of Equity, and is directed to compel obedience to its decrees in the same manner as the Chancery does in England; whatever questions there may be as to the extent of the jurisdiction of the Court of Equity in any other respects, it is certain that full power and authority to hear and *determine* suits against the inhabitants of Calcutta, respecting their inheritance and succession to lands and rents, is expressly declared to be in the Court by 21 Geo. III. c. 70, s. 17, and in terms which make it at least questionable, whether the jurisdiction is not exclusive of all others. The most numerous and important cases which have come before the Court, as a Court of Equity, have been suits instituted by Hindus for the partition of family property. When a bill is filed for this purpose against any one liable to the jurisdiction, and who is the manager of such property, from which he excludes his coparceners, and which consists principally of Zemindaries or Talooks in the Mofussil, in what other way could the Court determine the suit than by a commission of Partition; or in what other way could it secure for the family their share of the rents and profits during the long progress of an equity suit, than by appointing a Receiver? It cannot be seriously meant as a more easy and convenient proceeding, that a suit should be instituted against an inhabitant of Calcutta, in each Zillah in which any of the Talooks may be; or even that this Court, after having declared the rights of the parties to a partition, should direct them to bring a second suit against the defendant in any one other Court, and take their chance of having the same thing decreed over again with more effect? But, even if this could be maintained as expedient, it is beyond all doubt that, according to the existing law, the Supreme Court, as a Court of Equity, must attach and imprison the person of a defendant for disobedience of its decrees or orders; and if they should thus confine in gaol the manager of a family property in the Mofussil, is it not necessary that they should appoint some one to look after it, if it were only for the payment of the revenue? If the suggestions of the Minute point to any one course rather than another, it is one which would leave in the gaol of Calcutta the manager of property, respecting which the rights of numerous persons might have been declared after a long and expensive litigation, but which, on the failure of the regular payments of the revenue, would be sold to the highest bidder by the Collectors of the different districts in which the lands might be, and the surplus would remain in the hands of the Collectors, to be got at by those entitled to them in the best way they could. Does the Member of Council by whom the Minute was written believe, that the Collectors would or could apportion the surplus, on the mere production of the decree of the Supreme Court, in such a way as to give their rights to the parties; or does he desire, that in such cases the Collectors should be made defendants in the equity suit by a supplemental bill? European officers have never

never been sent to reside on estates so situated, but have managed them through native agents, and cannot by the rules of Court be appointed, except where there is no other fit and proper person to take charge. This part of the jurisdiction of the Court is exercised as the Charter directs, in the manner in which the Court of Chancery in England effects a partition, in the only manner in which at present a suit for a partition could be determined, or in which signal inconveniences and contradictions could be avoided; and if Regulations have been made by the Government subsequently to the Charter of 1774, and to the 21 Geo. III. c. 70, which are incompatible with them, it may be worth while to consider whether it is the Court which sets at naught the Regulations of the Government, or the Government which has forgotten the lawful powers of the Court.

12. The foregoing cases being the only ones stated in the minute in which the Court at Calcutta is concerned, they are perhaps the only ones on which I am entitled to speak with confidence; but I beg to add, that, as far as my knowledge extends, the censures of the proceedings of the Courts at Madras and Bombay are, in most respects, equally open to observation. Of those at Bombay which have been the subject of an appeal to the Privy Council, it would not become me to express any opinion in an official document; but as I was a Judge at Madras for nearly four years, although of the cases which are cited from that Presidency, one was entirely, and another almost entirely determined before I took my seat in the Court, I believe that I am able to fix both of them, and the practice of the Court in granting probates and administration to natives, in a juster point of view than that in which they are placed in the Minute. It is very possible, however, that I may be inaccurate in some particulars, as I can speak only from recollection, and, in most instances, merely from the information of others. All the Supreme Courts are directed by their charters to accommodate their process to the circumstances of the people and the country. This has been done in more instances than that of granting administration to natives. One instance in which it has been done beneficially at Madras is, that orders for the maintenance of native widows are made summarily upon petition, and without any suit in equity; and at Calcutta it was long the practice for the Judges to decide many disputes amongst natives out of Court, and by a summary award. The same considerations which led to such proceedings induced also the practice of allowing natives to take probate or administration, though the Courts never required them to do so; and this permission has tended very much to their ease and convenience in many respects. If a representative of a deceased native wants to collect assets from an inhabitant of Madras, or from the officers of the Company, or any other British subject, he is often enabled, by obtaining letters of administration, to avoid an equity suit, which would be his only other mode of proceeding. The British Commissioners at Madras, for the payment of the Nawaub of Arcot's debts, refused to make the payments to representatives of natives without letters of administration; and though the Court would probably have compelled them to do so, there might have been some hardship in obliging the claimants to proceed by suits in equity. It was upon a refusal, I believe, by the Treasurer of the Government to give him the benefit of Government securities which had been held by his father, that the Nawaub of Masulipatam found it necessary to apply either for probate or administration to the Supreme Court at Madras. If he had not done that, he must have filed a bill in equity, and in either case must of course have submitted himself



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to the jurisdiction of the Court, as to all questions connected with the property for the obtaining of which he had applied to the Court, and which it was his object to take out of the hands of a British subject, against whom all claimants had a right, whilst the assets remained with him, of instituting suits in that Court. There may be differences of opinion whether it has been, on the whole, beneficial and right to permit natives to take letters of administration, or it may be thought, that when such letters are granted, the best way of making the parties liable to the jurisdiction would be by their entering into a bond to that effect, which would apprise them of the extent of their liability; but I conceive that there can be no difference of opinion as to the justice or necessity of the rule, that every party who asks for, and makes use of any process of a Court, whatever it may be, for the purpose of obtaining property which he could not obtain without it, must submit to the jurisdiction of the Court in all claims and questions which may arise as to the same property, before its absolute confirmation to him. The refusal of the Treasurer made it necessary that the Nawaub of Masulipatam should proceed, in the Supreme Court, in one way or another; and in whatever way he had proceeded, he must have submitted to the decision of the Court, as to all claims upon the property which he should have brought into question before the Court. One of the cases, I believe, which is alluded to as having occurred at Madras, is that of Syed Ali and others, against Kullee Moollah Khan and the East-India Company, of which the main features were, that the Nawaub of the Carnatic having formerly granted a Jaghire to the father of Syed Ali and Kullee Moollah Khan, questions arose, on the death of the father, whether the Jaghire reverted to the British Government, which had superseded that of the Nawaub; whether it was either to descend, or to be granted anew, to Kullee Moollah Khan, as the eldest son; or whether it was not to be shared amongst the children and widow of the deceased, like any other property of Mahomedan persons. It was proved, I think, to the satisfaction of the Judges, that Kullee Moollah Khan, if on no other grounds, was liable to the jurisdiction of the Supreme Court as an inhabitant of Madras; and a suit in equity was instituted against him and the East-India Company, by his brothers, his mother, and sisters. It has since been decided on appeal, and I have no doubt rightly decided, that there was no legal or equitable ground for making the Company defendants; but this is not the objection taken in the Minute, in which it seems to be thought that the whole system of Indian Government is threatened with destruction, if grants of the Government may be subjected to the interpretation of the Supreme Courts. I can only say, that any grant of property by a King of England, though the King cannot be made a defendant to the suit, may be brought into question, and may be subjected to the interpretation of the Courts of Law and Equity, and that the interpretation of grants of property by the Indian Governments, could not be reserved to the executive branches, or, in other words, to the grantors themselves, without an utter confusion of all English notions of justice, and some very strange results. The other case, at Madras, is one about the year 1818 or 1819, in which a crime having been committed at Hyderabad, by a person who, according to the words of the Charter of the Supreme Court, was amenable to it for the crime so committed, the Court thought that they might also arrest him for it in the place where it was committed. Upon this his Majesty's Attorney and Solicitor-General in England were consulted, and it was asked whether the Court could issue compulsory process into the territories

territories of a Prince "in alliance" with the Indian Government; to which the answer, as it might have been expected, was that the Court had no such power; and I have some reason to believe that the Court itself would have given the same answer to the same question, inasmuch as "alliance" implies a certain degree of independence. But if an excuse is wanted for any mistake of the Court in supposing that Hyderabad was so far a component part of what is called the British Empire in India, or so far dependent upon and subject to the British Government, that as the cognizance of crimes committed there by his Majesty's subjects clearly belonged to them, so it might also send its process thither to arrest them, such excuse may perhaps be found in the facts of the cantonment at Hyderabad being permanently occupied by the forces of the Madras Government, and of the Government being administered very much according to the will of a British functionary, who always resides there. Long subsequent to the mistake of the Madras Court, and to the opinion of the Crown lawyers, two Advocates-General of the East-India Company, together with some other persons, fell also into a mistake, that Hyderabad was so connected with the British territories, that the English laws which regulate the lending of money were in force there against British subjects; and I am told that there are some who have felt great difficulty, notwithstanding the opinion of the twelve Judges of England, in bringing themselves even now to the belief that there has been in this respect any mistake at all. In a note at p. 416 of the second volume of Mr. Henry Prinsep's History of the Administration of the Marquis of Hastings, there is a decree recorded, not judicial indeed, but executive, which from my knowledge of the moderation and love of justice of him by whom it was pronounced, and his dislike of encroachments of every sort, especially by the appointment of receivers, I am confident would not have been made if Hyderabad had been in that situation of real independence which properly entitles one state to call its relations with another an "alliance." That excellent, able and eminent person knows, that I entertain for him the highest esteem and a sincere regard, but he will permit me to say, that in his Minutes of the 19th of February and of the 15th April 1829, I find no case referred to as an irregular proceeding of the Supreme Courts, respecting which it does not appear to me that there has been a misapprehension of some fact or principle of law, which has affected the view which he has taken; and I cannot refrain from expressing a little surprise at the singular expressions which in two passages are employed to characterize the construction which has been given by the Courts to the word "inhabitants." I have already explained the grounds on which that construction is supported; it rests upon authorities so grave, that it might have been expected to escape the infliction of hard names; which, if I were inclined to resort, might perhaps be shown to apply more closely to the history of Indian politics, than to English rules of law.

13. I dare not follow the example which is set me in the Minute of defining the whole jurisdiction of the Supreme Court. Too many important and delicate points are involved and have been entangled in that matter for me to wish to decide upon them collectively. The view taken in the Minute was probably intended to be the same as that which was given by the late Mr. Charles Grant, in his note to the 34th page of his "Observations;" but there is this difference, Mr. Grant's observations, though printed later, were written in 1792, and though he does not at all deny that the natives of the provinces were then subjects of the British Crown, he keeps his definition of jurisdiction clear of any admis-

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sion to that effect. In the Minute of the 15th April 1829, they are described as subjects, and a few historical remarks will serve to show how much depends upon the fact of their being within the meaning of that term, and to how many difficulties the Supremo Court at Calcutta may be exposed in exercising a jurisdiction which in its origin was made to extend over all within this Presidency who should in any manner be subjects of the British Crown, but upon which jurisdiction there are no doubt sufficient indications that those who have framed subsequent statutes and charters for India have designed to put various restrictions. The design must be supposed to have been right; but it may be regretted that whatever was to be done in pursuance of it, should not have been made plainly intelligible, and free from all contradictions.

14. Factories established amongst the infidel people of the East have been deemed by the law of nations which has prevailed in Christendom, to be so far exclusive possessions, or at least privileged places, that all persons during their residence within them have been considered for most purposes to be clothed with the national character of the State to which the factory has belonged. In the East-Indies, as early as 1618, Sir Thomas Roe, the Ambassador of James I., had secured, by treaty with the Mogul, the privilege for the Factory at Surat, that disputes between the English only should be decided by themselves; and the East-India Company, before the end of the 17th century, had obtained and made use of the permission to build fortifications at Madras and Calcutta; and they held the island of Bombay under a grant in perpetuity from the Crown of England, to which it had been ceded in full sovereignty by Portugal. In these circumstances, although it was a remarkable step, it is not perhaps very difficult to account for the establishment, by letters patent, of Mayors and Aldermen in the 13th year of the reign of Geo. I. at Madras, Bombay, and Calcutta, who were to act as Justices of the Peace in those places, and in all the factories subordinate to them, and who were to be Courts of Record for the trial of all actions arising within those places, which should be brought against any person who should reside there at the time of action brought, or of the cause of action accruing. I will not venture to say whether in these letters patent, or in those which with some alterations were substituted for them in 1753, there was any intention on the part of the Crown to assert any territorial dominion. In the Charter of 1753, although there was no precedent for it in the Charter of 1726, there was introduced an express exception from the jurisdiction of the Mayor's Courts, of such actions as should be between the Indian natives only, which were directed to be determined among themselves. In 1765, however, the grant of the Dewanny made a complete revolution in Bengal. It put into the hands of the Company all the actual powers of Government; and it is well known to what differences of opinion this acquisition gave rise in England. Without resting the decision which was made in 1773 upon any critical arguments of law, or on any positive opinion of expediency, there are a few plain positions and glaring consequences, from which it seems to result, that a part of the determination which was come to was quite necessary; namely, that the right should be asserted of the British Crown and Parliament to regulate the powers of Government, which had been acquired by the Company in India. Before the Dewanny was obtained, the Company had been established for more than a century and a half in India, under charters from the British Crown and Acts of Parliament, which, for the increase of the navigation and merchandize of the nation, had given them, for so long as it should conduce to the

that object, an exclusive right of trade in all places between the Cape of Good Hope and the Straits of Magellan, and had deprived the rest of the British people, for the same time, of the liberty of trading on three-fourths of the sea-coasts of the whole globe. It could not have been reconciled with justice or reason that opportunities so given should have terminated in 1765 in the establishment of the Company as officers of a foreign state, still less as independent sovereigns; and if any doubt had been tolerated as to the entire dependence of the Company upon the Parliament, it is difficult to say what might not have happened during the troubled times of England which followed the period of the acquisition of the Dewanny. The British people might possibly have found themselves excluded from trade with India, not for a time, but for ever; not by their own act and with their own consent, but against it, and by those who had, indeed, been their fellow-subjects, but were now become independent of them. Therefore, though I do not wish to be considered as assenting to all that was said or done about that time, the Resolution of the House of Commons on the 5th of April 1773, the statute of the 13 Geo. III. and the Charter of Justice of 1774, appear to me to have been rightly founded, in every part of them, upon the principles, that whatever the Company had in India, they held as British subjects, that all their lawful powers of government were subordinate to the sovereign powers of the British Crown, and that in every respect they were liable to the legislative control of the British Parliament; and in whatever manner it may afterwards have been thought expedient to disguise the real state of things, it seems to me to have been a necessary and immediate result of the grant of the Dewanny, that all the sovereign rights of the Mogul Emperor in Bengal, Behar and Orissa, which would have remained in him if the grant had been to any of his own subjects, were transferred to the British Crown and Parliament; that the territory became British dominion, and the inhabitants subjects of his Majesty, but the mass of them subjects only as far as it was consistent with the laws of England that Hindus and Mahomedans could be subjects. The single and plain ground on which I would rest these propositions is, that when the Mogul put a Company of British subjects into the possession of territories and powers which might be made use of to defeat the very purpose and object of that political existence which had been given to them by their own King and Parliament, there accrued to that King and Parliament, as a necessary consequence, a right of assuming the whole sovereignty, without which the Company could not be controlled. The Mogul had no right to make them, the Company had no right to make themselves, dependent upon him or independent of their own country; in either of which cases it might, and according to the ordinary course of human affairs must have come to pass in time, that they would have been called upon to wage war against the very land which had sent them forth to augment its own prosperity.

15. If all circumstances had admitted of this state of the case being manifested and declared in 1773, though such a course might have been subject to hazard, it would probably have saved an infinity of trouble in the end, and many of the perplexities which have been the offspring of a double and fictitious system of government. The grant of the Dewanny included not only the holding of Dewanny Courts, but virtually the Nizamut also, the right of superintending the whole administration of law in Bengal, Behar and Orissa, as it was vested in Shah Aulum in 1765. This is avowed in the

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letters of Lord Clive, and this is only a part of the claim of the Company themselves, in the case made for them upon the appeal of Mr. Buckingham against the press regulation. There were motives, however, which are very intelligibly explained in Lord Clive's letter of the 30th September 1765, which had made it convenient for a time that the Nawaub should appear to retain the Nizamut, or superintendence of the administration of justice; and accordingly, when Shah Aulum gave the Dewanny to the Company, it had been agreed at their request that he should put the Nizamut into the hands of the Nawaub, who at the same time entered into an agreement to take a fixed annual allowance from the Company to enable him to carry it on. He was in fact from thenceforth no other than a native officer of the Company; he held his courts only at their will and pleasure, and they exercised the power of regulating and altering them. Something had been done in this way between 1768 and 1772. In that year, Mr. Sullivan, the Deputy Chairman of the Company, brought into the English House of Commons a Bill for the due administration of justice in Bengal. I have never seen this bill at full length; but I collect from the accounts of it in cotemporary publications, that with the important difference that the appointment of Judges was to have been by the Company, its provisions for a new Court were in a great many respects similar to the Letters Patent of 1774,\* but that all Christian persons were to have been subject to the jurisdiction of the new Court, and to have been exempted from those of the Nawaub. When this plan of the Company was thwarted, and the Supreme Court was established in 1774, the distinction of Christians was left out, and the only criterion of personal liability to the jurisdiction which is to be found in the statute of 13 Geo. III. c. 63, on which the Charter of 1774 is founded, is that of subjection to the British Crown. In s. 14, all who are "his Majesty's subjects" are made liable. It has been contended, indeed, that even in this statute it was intended to make a distinction between subjects born in the British islands, or their descendants, and the other natural-born subjects of the Crown, and that it was the former only who were made liable to the jurisdiction of the Supreme Court. But this appears to me to be an erroneous notion, and one that has been the cause of some of the confusion which adheres to the whole system of the Indian statutes. The only difference of meaning which will be found in the use, at that time, of the two phrases, "subjects" and "British subjects," is, that the latter appears to have designated those who were permanently and to all intents and purposes British subjects, whilst the former included such foreigners as, in consequence of their residence in any British territory, possession or factory, were to be considered, according to well-known rules of international law, to be clothed temporarily and for certain purposes with the character of subjects of his Majesty. The Charter of 1774 made even these liable to be sued or prosecuted; but it was to British subjects only, or absolute and permanent subjects, if I may so express myself, that certain rights and duties, such as that of sitting on juries, were restricted. No legal grounds will be found for affixing at that time any other meaning than this their obvious one to these terms: and unless we consider the term "subjects" in 13 Geo. III. c. 63, s. 14, and in the 13th clause of the Letters Patent, to have had a more extended sense than that of persons of British birth or descent, and to have included foreigners,

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\* See Governor Johnstone's Speech in the Debate on the 30th March 1772.

foreigners, whether Indian or European, resident in Calcutta or any British Factory in Bengal, Behar or Orissa, there is nothing either in that statute or in the Charter itself which can be considered as giving the Court jurisdiction to entertain any actions against them, except in cases in which the Mayor's Court had before possessed such authority under the Letters Patent of 1753, and this would not have included the native inhabitants of Calcutta. The distinction which it has been attempted to establish between natives of the island of Great Britain and the Christian natives of the rest of his Majesty's dominions, is an unlucky gloss of a later period, and founded upon an expression, which I am inclined to suppose a careless one, in the statute of the 21 Geo. III. c. 70. Unfortunately the indistinctness of the views which were taken by the British Legislature of the nature and relations of the territorial acquisitions of the Company, and the show of a Native Government, which the Company were permitted for their supposed convenience to keep up, preventing all explanations of the use of the term "subjects," in the 13 Geo. III. c. 63, and indeed if those obstacles had not existed, a submission to Parliament of the question how far any other than Christians can be subjects, might have received all the agitation which had been produced by the bill for naturalizing Jews in 1753. Accordingly there is not either in the statute of the 13 Geo. III. c. 63, nor in the charter of 1774, any declaration who are and who are not subjects, nor whether any of the territorial acquisitions amounted to an acquisition of the territory itself, or to anything more than powers to be exercised within territories of the Mogul, nor whether even Calcutta itself was so much within the allegiance that persons born there would be natural-born subjects of the British Crown. These questions were left to be determined by the general principles of English law, whenever they might arise; but subject to such determination there was a jurisdiction given to the Court, first, over all persons whatsoever during their residence in any British territory, possession or factory, which there might be within Bengal, Behar or Orissa; secondly, over all natural-born subjects, or others having indefeasibly the character of subjects of the British Crown, and over persons in their service within Bengal, Behar or Orissa, whether the place in which they might be were a British territory, possession or factory, or a place belonging to some Indian Prince, but under the protection of the Company. The intention was to have secured to the Crown a supremacy in the whole administration of justice; but the provisions made were inadequate to the attainment of the object, and have been defeated; and I do not mean to say that the policy of later years may not have been wiser than that of 1773, I only trace the course of these events.

16. Though it might not be convenient that the whole of Bengal, Behar and Orissa, should be taken to be British territories in 1774, those and all the other provinces which constitute the Presidency of Fort William, must be known to be so now; and if there are reasons of state which ought still to discourage the avowal or manifestation of that fact, those territories are (beyond all possibility of concealment) so much more than factories, and so visibly British possessions and dependencies, that, subject to any questions connected with religion, all the inhabitants of them during their residence must owe a temporary allegiance, and must be for the time "subjects" according to all the ordinary rules either of British or international law. I will not fatigue those to whom this paper is addressed by a string of statutes and other acts of state, in which the

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Indian Presidencies are designated as possessions of the kingdom of Great Britain and Ireland, or as British territories, nor will I do more than barely advert to the opinion of the Court of King's Bench in England on the question whether they were within the Navigation Laws; or to the declarations in the 53 Geo. III. c. 155, of the sovereignty of the British Crown over all the territorial acquisitions; nor to that proclamation of a former Governor-General, which we are told by a highly-distinguished historian,\* was hailed with satisfaction by every Prince and Chief of India, when the supremacy of the British Government was asserted, and somebody, but I cannot undertake to say with precision who it was, reluctantly assumed the duties of "Lord Paramount of this Continent." To satisfy the Governor-General in Council of the difficulties which a court of law must find in treating the Bengal Provinces as any thing less than British territories or possessions, of such a description that Christian persons born in them are natural-born subjects of the British Crown, and that foreigners residing within them are subjects during the time of their residence, it may be sufficient for me to bring to their notice some decisions of a venerable person whom I have been accustomed to consider of authority almost oracular in questions of the *droit public*, and of the law of nations. In the year 1800, Sir William Scott held that there was no sovereignty in the Mogul which interfered with the actual sovereignty of the British State, exercised through the East-India Company; that the territories were British territories; and that the law of treason would apply in full force to Europeans living there. He seemed to consider that the Hindu and Mahomedan inhabitants of those territories were in somewhat the same relation of subjection to the British Crown as Jews in England: but that an American merchant residing there was as fully clothed with the British national character for the time of his residence, as if he were in England; and Sir William Scott founded this decision, in some degree, upon information obtained from Sir Robert Chambers, whom he had consulted, and who had recently returned to England after having been many years Chief Justice at Calcutta.—*The Case of the Indian Chief*, 3 Rob. Adm. Rep. 28. In the House of Lords, August 12th, 1801, on the ground of Madras being a part of the British dominions, and that all foreigners resident there incurred the obligations of British subjects, it was decided in affirmance, I believe, of a judgment of Sir W. Scott's, that any permission given by the East-India Company or the Indian Governments, without the sanction of the Crown, to American inhabitants of Madras, that they might trade with the port of a country at war with England, was void, 3 Rob. Adm. Rep. App. B. 7. In 1806 Sir William Scott inclined to think that the possessions of the East-India Company were within the terms of the Order of Council of 1665, declaring a particular right of the Lord High Admiral to extend to all places "within the Kingdom of England."—*The Maria Françoise*, 6 Rob. Adm. Rep. 288, &c.

17. Upon these grounds and authorities I could not come to any other conclusion than that, if the Act of the 13 Geo. III. c. 63, and the Charter of Justice of 1774, which are the foundations of this Court, were at this time to be interpreted by themselves, and not in reference to a scattered flight of subsequent enactments and ordinances, the Court, throughout the provinces which constitute this Presidency, would have a jurisdiction, however inconvenient,

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\* See Memoir on Central India, and Political History of India.

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over all persons, who, according to the ordinary rules of English law, should be subjects of the Crown, whether absolutely or temporarily. But it is scarcely necessary for me to say that I do not consider the Court to possess that jurisdiction in such a way as to be used for any practical purposes at the present time. I am desirous only to point out the course and manner in which the constitution of the Court has been effected; to establish the fact, that it is only by the Court that encroachments have been made, and to make the Governor-General in Council aware of the situation in which it is now placed.

18. The first obstacle which the Court encountered upon its establishment in this country, was the upholding of the Nizamut under the Nawab and his native officers in a state of complete independence of it. It is not to be doubted that if Mr. Sullivan's bill had passed, it was the intention of the Company to have brought the whole of the Native Courts into subordination to it, and long before this time it would have been done. When the present Supreme Court was substituted the jurisdiction similar to that of the King's Bench which was given to it, and indeed its very title and the objects of the whole charter shewed that it was supposed there would have been inferior Courts subjected to its superintendence. A system correspondent to such intentions could not have been established without the cordial co-operation of the Governor-General and Council of the time, and probably it ought not to have been attempted but by very slow and cautious steps, and supplementary enactments must have been made for securing the Hindus and Mahomedans against an abrupt demolition of their customs and usages. But instead of any preparations of such a tendency, all things were maintained in a posture rather of opposition than merely of separation. It is well known what disgraceful scenes of discord and confusion ensued, and I have no inclination to defend the spirit and manner of the proceedings of the Judges of the Supreme Court, nor even to assert that the supremacy of the Court had been sufficiently provided for by any practicable scheme. But this I must say in justification of the Judges, that there was not that co-operation which they had expected from the Government; that the re-establishment in 1774 of the Nizamut at Moorshedabad in its old form, was not a symptom of any inclination to promote that subordination of the Provincial Courts, which, I believe, was looked for, and would have been gradually accomplished, if the Supreme Court had been a Court of the Company; and that if the Judges caused mischief by an exercise of their powers in the provinces, a state of circumstances was presented to them, in which they had but the alternative of abandoning that part of their commission. In the Minute of the 15th of April, it seems to be taken for granted that the Judges overstepped their jurisdiction, and that the 21 Geo. III. c. 70, was passed for that reason, but the Act was passed, not because the jurisdiction had been exceeded, but because it had been found difficult to exercise it without conflict with the Provincial Courts and the Government. The 28th section provides indeed an indemnity for the Governor-General in Council and the Advocate-General, for their transgressions of the law in opposition to the Judges, but no such indemnity will be found to have been granted or required for the Judges themselves.

19. The most important part of the Act of the 21 Geo. III. c. 70, is the acknowledgment by the Parliament of Provincial Courts existing independently of the Supreme Court, and the declaration of the expediency and justice of preserving to the Hindus and

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Mahomedans their peculiar laws and usages. Many circumstances contributed at the time to incline the Parliament to this course, and to these it may be useful to advert, as casting light upon the meaning of the Act. The nation was struggling with the American war, the experiment of the Supreme Court had not answered expectations, and had occasioned inconvenience; it was plain, that the attempt to introduce an English superintendence of the law on the part of the Crown had been made without any sufficient scheme or due preparation; a plan which might have been carried forward, if it had been promoted by the Company as their own, had failed when imposed against their will. The Ministers, to use a homely phrase, when they thought they had secured the administration of justice to the Crown, had reckoned without their host. In some instances the collection of the revenue in India, on which every thing depended, had been impeded by the dissensions which had taken place. Perhaps also it was thought desirable, in the impending treaties with the maritime states of Europe, that India should bear as little as possible the character of a possession of the Crown. Some things in the Act are stated plainly enough. The Court is not to have jurisdiction in any matter concerning the revenue; and, except in certain specified cases, no person is to be subject to the jurisdiction of the Court by reason of his being a land-holder, nor of his being employed by a British subject. The existence of the Provincial Courts is not only recognised, but the Governor-General in Council is confirmed as a Court of Appeal, with a power of making regulations for them. But in this Act, as in the former one, there is no plain statement of the relation in which the Indian territories stood to the British Crown, nor whether any Indian natives were to be comprehended under the term "subjects," nor whether the Provincial Courts were to have a concurrent jurisdiction with the Supreme Court, or an exclusive one; nor, if the latter, what were to be the limits of it. The phrase "British subjects" is indeed used in this Act, and that of 21 Geo. III. c. 63, in such a way as necessarily to exclude from it the Hindu and Mahomedan inhabitants; but it is so used, that, with respect at least to subjects not being natives of Great Britain, or India, subsequent glosses have made it almost impossible to affix any definite understanding to it. In the 21 Geo. III. c. 65, s. 28, British subjects in the service of the Company, or licensed by them, are forbidden to reside, except under special license, at any other place than some principal settlement, or within ten miles of it: and by the 21 Geo. III. c. 70, ss. 13, 14, the obligation is imposed on British subjects of registering the names of their native stewards, partners, or agents. This is sufficient to show that the term was not intended to apply to the Hindus and Mahomedans; but when we endeavour to ascertain those to whom it was intended to apply, we find considerable difficulties. In section 24, it is used only in opposition to "natives," and might be considered as comprehending at least all the subjects of Great Britain born out of India, and this would be consistent with the use of the same words in section 3; but this interpretation is, in some degree, made doubtful by the use of the phrase "British European subjects," in section 16, which looks as if there might be "British Indian subjects," or else that British American, and West-Indian subjects were not included in it; and then in section 10, it is so expressed, that it has been recently supposed that it was meant to limit the meaning of the term "British subjects" to natives, or the descendants in the paternal line of natives of the island of Great Britain. This clause has made, and, unless it be explained by the Parliament, seems to be likely to make

make sad confusion. It is utterly out of the question to give it effect, according to the very letter. Unless there was some contemporaneous act of the Irish Parliament, it would exclude natives of Ireland, and my own opinion is, that it either was carelessly used, and that in the interpretation of it by courts of law, a more extended sense must be given to the words "Great Britain," so as to include the territories of Great Britain as fully as they are included in the 129th section of the 33 Geo. III. c. 52; or if it be possible to suppose that an intentional use of the term in its literal sense may be accounted for at that time by the fact of a large portion of the subjects of the Crown being then in a state of open revolt and civil war, the influence of an expression thus used upon a transient occasion, ought not to be preserved and carried down for the purpose of warping so important a matter as the meaning of the phrase "British subjects" in subsequent statutes. To my great surprise, however, I have been told, that two learned persons, whom I hold in the highest respect, and who have had unusual opportunities of becoming acquainted with India and its established relations with the United Kingdom, have recommended, upon the ground of its being in accordance with the general understanding of the term in India, that if a declaratory act should explain the meaning of "British subjects," it should be limited to those who have been born in Great Britain, or perhaps in Ireland, or who can prove a pedigree in the paternal line from a native of one or other of those islands. This would exclude from the class of British subjects, and in a great measure from the rights and obligations of British law in India, the natives of Guernsey and Jersey, of Jamaica, Barbadoes or Canada, or the Cape of Good Hope, of whom there may always be many in his Majesty's army, in the profession of the law, or engaged in merchandize; and it would put them in the same relation to the law, in most respects, as the Hindu and Mahomedan races. This would be an innovation, I apprehend, of a very serious nature in the system of laws by which the colonies and dependencies of England are bound to the mother country and the throne. Nor is it only the natural-born subjects whom it would affect, but all who may become subjects by cession or conquest. This is a case now pending in the Supreme Court, in which the fortune of a young person, who has returned to India after being educated in England, is in the hands of the Court, and is of very considerable amount. The Court can scarcely stir a step in the matter without deciding whether the father of the infant is liable to its jurisdiction; and unless he is so, it will be impossible to make a satisfactory decree. This father is a Christian inhabitant of Chinsurah, of Dutch descent, and is believed to have been born there before its cession to the British, and whilst it was a Dutch settlement. Is this man now one of those persons "who have heretofore been distinguished by the appellation of British subjects?" If not, has the Provincial Court, which was established for the preservation of Hindu and Mahomedan laws and usages, an exclusive jurisdiction over him? Is the infant to seek there a decree which she cannot obtain in the Supreme Court; and what is the Supreme Court to do with the fortune of which it has taken charge, and respecting which it cannot make any sufficient decree without having the father before it? Other questions of a very serious nature are connected with these. Would the Governments of France or America think that one of their subjects, of whom there are many in the provinces, had been treated according to the "Comity of Nations," if he were to be convicted of an offence in a Provincial Court, which would be incompetent to try an Englishman,

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who would be entitled under a similar charge to be tried by a Jury and by European laws?

20. Subsequently to the 21 Geo. III. c. 70, further doubt has been thrown upon the meaning of the terms "subjects" and "British subjects" by the various applications which have been made of them in statutes and charters relating to India. I cannot undertake to enumerate at present all these instances, and a few will be sufficient for my purpose. Where the word "subjects" has been used alone, as in the 26 Geo. III. c. 57, s. 29, it would seem to have been meant to be taken in its fullest sense. Suppose a Bengal Lascar, belonging to one of the Company's ships, murders one of the crew on shore, in the island of Johanna or Sumatra, would it not be within the remedy intended to be provided by that Act, that he should be amenable to the Court of Oyer and Terminer at Calcutta, upon the ship's arrival in that port? Yet, if this be so, it makes it extremely difficult to say that the same Court has not under that Act, if in no other way, a concurrent jurisdiction with the Provincial Courts over the Hindu and Mahomedan natives of the provinces under British Government. There is still more difficulty, however, as to the application of the phrase "*British subjects*." In the 24 Geo. III. c. 25, s. 37, these words include all for whom relief is provided as creditors of the Nabob of Arcot. In the 24 Geo. III. c. 25, ss. 45, 50, 64, and the 26 Geo. III. c. 57, ss. 1, 30, and the 35 Geo. III. c. 52, s. 62, they are used to describe all against whom penalties are given for corruption or extortion. In the 33 Geo. III. c. 52, s. 98, which is connected with 53 Geo. III. c. 155, s. 108, British subjects are prohibited from residing at more than ten miles distance from one of the principal settlements, and these clauses have so plainly a connection with the 33 Geo. III. c. 52, s. 129, that it would be impossible to affix any less extended meaning to the words as they are used in them than that which is given in s. 129, namely, subjects of his Majesty, of or belonging to Great Britain, or the Islands of Jersey, Guernsey, Alderney, Sark, or Man, or Faro Isles, or to any of his Majesty's colonies, islands or plantations in America or the West-Indies; and I take it to be certain, though I have not the Irish statutes at hand, that the Acts which were passed by the Irish Parliament about the same time as the 33 Geo. III. c. 52, placed natives of Ireland exactly in the same predicament as those of *Great Britain* and its dependencies; and if this be so, there would be no good ground on which the natives of any African colony or of New South Wales, the Mauritius or Ceylon, could now be distinguished from the rest. In the 39 and 40 Geo. III. c. 79, s. 2, and in the 53 Geo. III. c. 155, ss. 105, 106, 107, the term "*British subjects*" seems also to be used in opposition only to natives of India, to include all subjects not born in India, and to exclude all who are born there, which, however, must necessarily be subject to an exception which is to be understood, though it be not expressed, of those who are British subjects in right of a British father or paternal grandfather; but in the 40th section of the last-mentioned Act, the words "*without the limits of the Company's Charter*" leave it again doubtful, whether, in that statute, natives of the Cape of Good Hope, New South Wales, or Ceylon or the Mauritius, are or are not meant to be included by the term "*British subjects*." The expediency of affixing some precise meaning to these terms has been much more urgent than it was at an earlier period, since the Charters of the Madras and Bombay Courts have expressly limited the

the jurisdiction of those Courts in certain cases to such persons as have been heretofore described and distinguished by the appellation of "British subjects." It would seem that it is only the representatives of such persons who can demand to have the assistance of the ecclesiastical Court at either place, and that even the representatives of a Christian inhabitant of Madras, if he was not within that appellation of "British subjects" during his life, could not insist upon having either probate or administration, though I know that it has been the constant practice to grant both upon request, even to the representatives of the Hindu or Mahomedan inhabitants. I have adduced only a small portion of the instances in which this important expression of "British subjects" is vaguely applied in the statutes, and it is not only by the statutes that it may be shown how little there is of any general understanding of the meaning of it. The Charter of Charles II. in 1669, purports to make all the inhabitants of Bombay, and their descendants, British subjects, and seems to have intended to confer the same right on the inhabitants of other places which might subsequently be acquired by the East-India Company. The convention with France, dated at Versailles, August 31st, 1787, stipulated that Frenchmen should have the same advantages in India in the administration of justice as his Majesty's subjects. I forbear to make any inquiry as to later treaties. In a work which I have heard attributed to Sir John Macpherson, a former Governor-General of India, and which was published in 1793 for the information of Parliament at that period, it is repeatedly stated that Armenians and Frenchmen in India are British subjects. Sir Christopher Robinson, in his Admiralty Reports, is led to suppose, by the use made of the terms by Sir William Jones, that they include all the inhabitants of the provinces; and in a case, in the third volume of the Reports of the Court of Nizamut Adawlut, recently published, I find one of the Judges, and the very accurate and able reporter, using the term as synonymous with the expression of "native subjects of the British Government," which occurs in Regulation V. of 1809. Perhaps, if I were asked what I myself should say approached to a criterion of any question, whether a person is within the meaning of this expression as it is used in the statutes and the later charters, it would be, "whether he is a subject by any other title than that of birth within British India," and that, if he is a subject in any other way, he is a British subject according to the meaning of the Madras and Bombay Charters; but that, if he has no other claim than that of birth in British India, he is not. But this rule includes more persons as British subjects than the Company's advocates admit to be of that description; and it excludes some whom I regret to see excluded. I have a strong opinion of the impolicy of establishing a name and test, which is to make of the illegitimate children of Englishmen, and other Christian persons, a separate and inferior class; and the Act of the 21 Geo. III. c. 70, out of which all these perplexing distinctions have sprung, had but for its avowed object the securing to the Hindu and Mahomedan inhabitants their ancient laws and privileges, and was not apparently intended to affect any rights of the Christian population, for whom it made no provisions, and who, consequently, if they are not under the jurisdiction of the Supreme Courts, can scarcely be said at present to live under any positive law at all. This uncertainty extends its mischievous influence in many ways. If Christians born in the provinces are not to be included in the term "subjects," it would seem to follow that the provinces, even now,

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are not regarded by the Parliament as properly and strictly British territories ; and if not, the questions, which of late have been made as to the powers which the Supreme Court has hitherto exercised, as necessarily incidental to the most limited construction of its jurisdiction, would come to be of real difficulty. The Minute of the 15th April complains of the appointment of receivers of rents in the provinces, and even of writs of *fiere facias* against the goods of British persons being executed there ; and at Bombay it seems to be maintained, that the Court, without leave of the Governor in Council, cannot compel the attendance of a native inhabitant of the provinces as a witness, even on an indictment. I have always supposed, and still maintain, that these powers and others are necessarily incidental to the determination, by the Supreme Courts, of any causes at all ; but if the provinces are territories of so anomalous a character, that Christian persons born there have not the name of subjects in the British statutes, I should not feel quite sure what arguments might be sustained upon the other questions. The illustration of the doubts in which the jurisdiction of all the Courts in India is now involved might be extended much further. I understand it to have been decided, that the Court at Bombay has no right to issue a *habeas corpus ad subjiciendum*, nor other mandatory writs, to native inhabitants not liable to what is termed its ordinary jurisdiction. Now, taking the ordinary jurisdiction of the Court to be over British subjects, and those in their service throughout the whole Presidency, and over all persons whilst they are inhabitants of the island of Bombay, what persons are they over whom it retains any extraordinary jurisdiction after this decision, and what is the nature of that extraordinary jurisdiction ? Who are those liable to it ? Who are meant to be included in the Admiralty jurisdiction of the Court by the 53 Geo. III., c. 155, s. 110, and to be excluded from it by the Bombay Charter, in the clause which may be found in the printed copies at p. 43 ? The direct contradiction between the statute, and this part of a Charter granted eleven years after the passing of the Act, is only another instance similar to that which I noticed in the first paragraph of this paper, relating to the revenue ; and I could adduce others. Both of the statutes which authorized the Charters of the Madras and Bombay Courts, expressly provided that they should have the same powers as the Court at Fort William, but the Charters themselves purport to give powers much more limited. In this case, are the statutes, or the Charters made under them, to prevail ; and how far do the Charters of the new Courts affect that of the older one ? Are the limitations on the powers of the new Courts void, as giving powers different from those of the Calcutta Court ; or are the powers of the Calcutta Court altered by the Charters of the new Courts ? An instance of the importance of these questions is presented by the opposition recently made at Bombay by the Government, to the writ issued into the provinces for the purpose of compelling the production of a native witness. There is a clause in the Madras and Bombay Charters, which purports to prohibit the Courts from compelling the attendance of native witnesses, at least in civil cases, in any other way than they would be compelled to attend a Native Court. This is resolving the necessity of attendance into the will of the Governor in Council, who can regulate as he pleases the practices of the Native Courts. Then is this clause restrictive to that extent of the process of the Court at Fort William, as well as at Bombay, or is it restrictive of neither ? The question is not whether the Courts, in a matter of pure discretion, will attend to such an indication of what has been thought

thought right by those who advised his Majesty in the wording of the Letters Patent ; but whether the Courts have or have not a right to refuse a *subpœna* or a *habeas corpus ad testificandum* to a suitor, a dependant, a prosecutor, or a culprit ; and whether, upon a mandamus issued under the statute of 24 Geo. III. c. 25, by the Court of King's Bench in England, directing the Judges in India to take evidence in a suit pending in England, they would be authorized to state, in their return to the mandamus, that they had declined to procure the attendance of some important witness, because it would not have been consistent with the rules of practice established by the Governments for the Provincial Courts.

21. Enough perhaps has been said to make it understood, that it has not been my purpose, in this paper, to extol the present constitution of the Supreme Court, nor to maintain that its jurisdiction is conveniently settled. But I could not dismiss the papers which have been laid before the Judges, without showing, that so far from encroachments having been made by this Court, the Court which was intended at first to have been in reality a Supreme Court, has in fact no Court below it except the Court of Requests, not even a single Court of Quarter Sessions having been called into operation ; that whatever alterations have been made of the powers of the Court, have had the effect, not of enlarging, but of restricting them ; that this has not been done in a direct and manifest way ; but the original Charter has remained unrevoked, and its provisions, intended for a very different state of things than the present, are now to be construed in conjunction with a variety of subsequent laws, through which it has from time to time been indirectly and uncertainly influenced ; sometimes by the setting up of counter institutions, susceptible of perpetual modification by the Government alone, and without its having been made clear whether they were to have concurrent or exclusive jurisdictions ; sometimes by declarations of a part of the jurisdiction of the Supreme Court, in such a way as to leave it to be doubtfully inferred that the *expressio unius* was meant to be the *exclusio alterius* ; sometimes by ordinances, which, to persons unacquainted with India, may have borne the appearance of being simple and of little consequence, but in which the most important consequences have been involved ; sometimes by flat contradictions, which the Judges are to reconcile as well as they can. In addition to all this, by the obscurity in which the dominion of the Indian territories has been left, and by the uncertain use of the terms " subjects " and " British subjects," the very alphabet, or at least the elementary terms in which the limits of the jurisdiction must be expressed, have been made as it were a foreign tongue. I blame no one for this, but I confess that it rather exceeds my patience to find the Court blamed for the inconvenience which has been the consequence of it. I am deeply sensible of the extreme difficulty of legislating by Act of Parliament or Letters Patent upon the internal affairs of India ; I readily admit that the first establishment of the Supreme Court at Calcutta was hastily and improvidently made, and that it stood in need of corrective or supplementary enactments ; but I cannot acquiesce in imputations of encroachment against the Judges, because the laws, which they are sworn to declare, have been imperfectly adapted to the circumstances in which they are to operate ; such as they are, I have been contented to make the best of them,

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\* See also 26 Geo. III., 57, 28 ; and 1 Geo. IV., 109.

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"*Quæ usu obtinere si non bona, apta saltem inter se sunt,*" and "by something like a spontaneous adaptation of imperfections to each other, the anomalies of Anglo-Indian law, of which but a small part is comprised in the foregoing statement, have had less of evil effect than might be imagined. I have now assisted for eight years in two of the Supreme Courts, without witnessing in them any difference with the Indian Governments, and without having found it necessary to ask for assistance or remedial interference from any of the authorities at home, nor should I have thought now of detailing the embarrassments which are incidental to the discharge of the duties of my office, if it had been possible to dismiss without observation the remarks upon the Courts which the Governor-General in Council, with a fairness which I feel to be a substantial obligation, has permitted the Judges to read. Having gone into the subject, I will add, that the defective arrangements under which it has hitherto been possible to act, it may be more difficult to manage hereafter. The opening of the trade to India has necessarily produced, by degrees, a greater intercourse between the inhabitants of India and those of the rest of the world, that intercourse could not continue long without other persons than the natives finding their way into the provinces, and abiding there; the Provincial Courts in the course of half a century have been gradually acquiring strength and consistency; there was obtained for them, some time ago, a concurrent jurisdiction with the Supreme Courts in some cases, and claims are now made by members of the Governments that their old jurisdiction is exclusive of all other, even to the extent of prohibiting the process of the Supreme Courts from running into the territories within which the Provincial Courts act. At Bombay, the Governor in Council and the Court have recently been in open conflict, and even here, where a perfect good will has subsisted, powers, without which it would be impossible for the Supreme Court to decide any suits at all, or to comply with peremptory enactments of the Parliament, are called in question and impugned. Of the inconveniences which exist, and which in these circumstances must increase, I am so far from thinking that the papers sent to us by the Governor-General in Council have in any way presented an exaggerated statement, that I am satisfied they do not advert to the most important of them. It may be sufficient to say, that in the Ship Registry and the Mutiny Acts there are several which have not been mentioned.

22. It is not without much hesitation that I proceed to suggest remedies for these evils. I have no means of learning here the views of those to whom it belongs to give any new forms to the Government of India, and what these may be will probably be determined by circumstances of political expediency, which are beyond the horizon of the point at which I stand; there are some whom it is likely I may offend by the plainness with which I must state my opinions if I state them at all. But I apprehend it to have been the wish of the Governor-General in Council, that any view which might be given of existing defects should be accompanied by a corresponding view of arrangements adopted for their removal. There is one method proposed in the Minute of the 15th of April which is at least simple, and which would effectually avoid the necessity of any further arrangements; namely, that all the proceedings of the Courts should be according to the will of the Government. The surprise with which I first read this made me read it more than once, and if it is possible to construe it as meaning only, that the process of the Courts, and with some exceptions the laws which they have to administer, should be liable to be altered from time to time, when they should have been found inconvenient,

inconvenient, by a well constituted Legislative Council in India, which should itself be really subordinate and accountable to the Crown and Parliament, my assent to it has been already expressed; but if, as the language of the Minute seems to import, it is intended that the judgments and orders of the Supreme Courts, though made according to law, should have effect only by the permission of some other branch of the Government to be given afterwards, or even that the Governor-General in Council, as at present constituted, should have the right of altering and limiting the powers or process of the Courts, I beg that my dissent from that plan, and an humble protest against it, may be considered as expressed by me in the most unequivocal and strongest terms. I know that the Governor-General in Council may even now make what orders he pleases in his official capacity, and that there is no tribunal in India to which he is answerable, and that this immunity is in a great measure extended to those who act under such orders. I am well aware also, that the Courts of Justice have no means of enforcing the laws which they declare, unless the Government be pleased to assist them; but at present a grave responsibility, in theory at least, is annexed to any refusal to assist in carrying the law into execution, and a more serious one to any positive opposition to it, and neither the one nor the other, I apprehend, would be deemed justifiable in the British Parliament, except upon the ground of urgent circumstances. But the object of the Minute of the 15th of April, if I understand it, is that an interference of the Government with the proceedings of the Courts should be an ordinary operation, and should extend to the annulling of judgments already made, subject only to the general responsibility which is attached to all other acts of Government. Of this I never can express an approbation, until I am told by the sole competent authority, that it has been thought right to make the sovereignty of the King in Parliament only nominal in India, and that there shall be no law there which is not liable to be altered by the executive branch, and not only with prospective but retrospective effect. The Governor-General in Council is, both in the theory and practice, almost entirely the organ of the Company. The Commander-in-chief, who according to usage is one of the Council, is also indeed an officer of the Crown; and the Governor-General is only for a time connected with the Company, and in rare instances, a person may be found in that situation who has been in India before, and who has talents, information and firmness, which enable him to act in a great measure by himself, but in the long run it is the Company which gives the whole tone and character to the acts of the Government. The President and Board of Commissioners have by statute the amplest rights of control and interference; but after all it is in the Company and its servants only that there is an intimate and familiar knowledge of Indian affairs, and an uninterrupted and continual bias of them, they present medium through which it cannot always be possible to see distinctly. In short the Board of Commissioners and the Parliament have even now not so much of the reality as of the right and name of the sovereign powers, and if it were provided that the only Courts to which the Company's servants are now amenable in India were to be subjected to the orders of the Governor-General in Council, I say that the Company and their servants would at once be sovereigns in India in all but the name and the right, and sovereigns uncontrolled by law. It is with reluctance, but surely not without being called upon to do so, that I touch upon matters such as these. It certainly is



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is not from any ill-will nor prejudice against the Company, nor those connected with it, to whom I am not insensible that both India and England owe incalculable advantages, and to whom inasmuch as I believe upon a deliberate conviction that the existence of a political body corporate is necessary for the Government of India by England, I hope to see all their lawful powers of Government, vast as they are, continued and confirmed. The inaccurate and confused enactments and ordinances which have been noticed in the preceding part of this statement might be set right with comparative ease, if they were merely verbal, and not connected with faulty arrangements and misunderstandings which lie deeper in the Indian system. There is an utter want of connection between the Supreme Court and the Provincial Courts, and the two sorts of legal process which are employed by them. Lamentable as it is that such a feeling should exist, the exercise of the powers of the one system is viewed with jealousy by those who are connected with the other; every Court in India is liable to be perplexed by the obligation which more or less is imposed upon all, of administering three or four different sorts of law to as many classes of persons. That which is before all other things desirable, and without which the root of these mischiefs never will be reached, is the obtaining a clear and steady view, and the establishing a general understanding of the just rights in relation to India and to each other, of the Parliament, the Crown, the Company, the British people, and the Indian people. It may savour of presumption to lay down the law in matters of such high importance; but on the one hand I am satisfied that no two persons can talk about India without misapprehending each other if they are not previously agreed as to these points; and on the other, I do not believe that there is so much of a positive and fixed difference of opinions respecting them, as there is of an indistinctness and fluctuation which a plain statement may remove sufficiently for my present purpose. The Parliament, I conceive, has the whole right of legislation, excepting so much as it may have delegated, and even in that case it retains the right of revoking, modifying, revising, controlling and superintending. The Crown has the sovereignty, with which many dormant rights are connected, and the power of controlling and directing the executive government, and of making orders for every thing which is not otherwise provided for by the Parliament, or by the laws of the United Kingdom. At present the Crown appoints also the Judges of the only Courts to which British persons are generally amenable. The Company, to whose rights of property my present observations have no reference, are in possession throughout India of the whole executive powers of Government in subordination to the Crown, and upon a somewhat different footing from the rest of the particular powers in Bengal, Behar and Orissa, of collecting and managing the whole revenue, of administering justice amongst the Indian people, and of maintaining an army, and they have strong claims both of justice and expediency to the continuance of these powers in their hands, and those of their numerous officers and servants as long as it can be made to consist with the real interests of the British and Indian people, and with the rights of the Crown and Parliament. The British people are entitled to all the benefit which, by the efforts of the Parliament, the Crown and the Company can be made to result to them from a mercantile and general intercourse with India; it was for this object that the Company was created, it was only upon the ground of their exclusive privileges tending ultimately to this object, or in some other way to the common good of the nation, that the grant of them

them could at first have been maintained to be lawful. The Indian people have not any real interest which is at variance with those I have mentioned; no other calamity could happen to them half so frightful as that the British Government should terminate; and good regulations would make a steady and gradual increase to an indefinite extent of the intercourse between India and England a blessing to both. If, indeed, we were to take up the detestable doctrine, that India is valuable to England solely as it is capable of yielding a surplus revenue to be appropriated by the latter, it would be plain enough that the interests of the two people are at variance; but if the object of the intercourse of the two nations be not to take money out of the pockets of one and put it into the pockets of another, but to interchange all good, whether physical or moral, which may be in the possession of either, and to obtain a wider area and more varied opportunities for the exercise, in right actions and to good purposes, of the faculties and energies of both, then there is but one interest, howsoever it may be obscured and hidden, and the paths to it may be crossed and perplexed by our imperfect intellects and free-will. Of these rights and powers, the particular points to which my observations are directed are those of legislation and the administration of justice. The legislative power belongs of right to the King in Parliament, but in fact is principally exercised by the Company; for the regulations of the Governor-General in Council are at present the effectual legislation of India, and the Parliament, from an unavoidable ignorance of the internal affairs of India, has had very little to do with these laws either before or after they were made. The whole administration of justice was once on the point of falling into the hands of the Company, when an awkward attempt was made to take it for the Crown, which has ended in its being broken in two, and its being left in its present disjointed and inefficient form. To rectify this state of things, the first object seems to be, that each of these departments of government should be placed more distinctly under one head; that something should be conceded to the Company on the one hand, but that on the other the power of legislation should be secured much more firmly and substantially to the Crown and Parliament than it is at present. If the Company should cease to be in India a commercial body, and become entirely a political organ of Government, I should see no objection against leaving to it all the ordinary administration of justice; but adequate securities must in that case be provided against any invasion of the right of making laws, by the exercise in other hands of a right of interpreting them. I could approve of a change by which every Court in India of primary and original jurisdiction might become what is called a Company's Court, if by means of a well constituted Court of Appeal it could be made tolerably certain that the laws should be administered in the spirit in which they were made, and if by the help of a subordinate Legislative Council in India a real and effective revision of all Indian laws and regulations by the King in Parliament could be kept in operation. In other words, to put the ordinary administration of justice in India upon a good and durable footing, it seems to me that all the officers by whom it is to be conducted ought to be appointed immediately by the Crown, or all by the Company, and that the latter is more practicable than the former; but that to secure the right of making laws from being defeated by the mode of putting them in action, there ought to be a Court of general appeal in India, of which it should be the main object to keep the two powers of making and of dispensing law in accordance and

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union with each other, and that to enable the Parliament to be really the Legislature of India, there should be in India a Legislative Council, subordinate and responsible to the Parliament. Of these two great links of the political relations of India with the United Kingdom, the mode of establishing one has been under consideration in the earlier part of this paper. Of the Court of Appeal, I should say that all the Judges ought to be appointed by the Crown, but that a considerable portion of them, perhaps the majority, should be taken from amongst the Company's servants, and that the jurisdiction should be chiefly upon appeal from the Superior Provincial Courts, one of which should be established in Calcutta. Whether there should be an entirely distinct system of Revenue Courts, whether the Court of Appeal should have a general superintendence of the proceedings of the Provincial Courts by some shorter process than formal appeals, and whether it ought not to have an original penal jurisdiction over offences of a high nature, are matters which would require a more minute consideration than I can at present give to them. All the Provincial Courts and Courts of Circuit should have the power of administering law to British as well as to Indian persons, together with a general superintendence over the Zillah and inferior Courts within given districts. For the present it would not perhaps be necessary that the jurisdiction of the Zillah Courts should be altered, but upon this point I am not entitled, by a sufficient knowledge of the provinces, to speak with any confidence. If regular and permanent circuits could not be at once established throughout all India, the existing circuits might be sufficient for a while, or in addition particular circuits might be appointed by the Provincial Courts, from time to time, with sufficient public notice; and the trials of actions commenced in the Provincial Courts might be so appointed in particular parts of the circuits as to prevent as much as possible the expense and trouble of bringing witnesses from a distance. If British persons were to be generally amenable to the Company's Courts, those Courts must be made capable of administering justice according to the principles, at least, if not the exact rules of British law; and for this purpose the Company would have to take into their service, or to educate a sufficient number of English lawyers, to afford the assistance of a Judge of at least one to each of the superior Provincial Courts. At first it would be necessary, as at present, that actions against Mahomedans, Hindus, or British persons, should be determined by Mahomedan, Hindu, or British law, according as the defendant might be of one or other of these classes; but this is really so strange a practice that it must be put an end to soon, and in less than another period of twenty years, a well constituted Legislative Council might make one code of municipal law, applying, with a few peculiar exceptions, to all persons in India. The laws of marriage and of succession to property, including the law of adoption, would perhaps be almost the only permanent and insuperable peculiarities; and by requiring that in adoption, the intention of the adopting party should be expressed in writing, this act might be put pretty much on the footing of other obligations and engagements.

23. The Governor-General in Council has been so good as to give the Judges the opportunity also of expressing their sentiments respecting the free admission of all the subjects of the British Crown into India, with the liberty of purchasing and holding lands. This is a subject on which I feel that my opinions are not entitled to much consideration, and I have never applied myself to it in such a way as to be able to go into the details.

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I have always apprehended it to be an inevitable consequence of a free trade, that the British merchants and agents must not only pass to and fro in the interior of the country, but that they must become connected with the cultivation of the soil. This has, in fact, taken place to a considerable extent, and it seems to be now only a question of degree, not whether British persons shall hold lands at all, but to what extent, in what way, and under what regulations they shall hold them. Decided opinions are expressed by his Lordship the Governor-General in Council, and are known to be also entertained by the Secretary in the territorial department, whose great abilities, experience and caution, and especially his intimate knowledge of the revenue system, give to his conclusions peculiar weight and value. These have considerably diminished the apprehensions which I had been taught to feel of the consequences of any great and sudden innovation in this respect; and there was no need of them to satisfy me that "colonization," which, in reference to India, and in the ordinary acceptance of the term, has always seemed to me to be sheer nonsense or something worse, is not what is thought of by the Government. But there is no view which I am able to take of the subject in which it does not appear to be a matter of difficulty, and one which would require many and resolute arrangements to throw all doors open, and to let those come who might choose to come, and those buy who were able to buy, could scarcely fail to produce confusion, there would be a danger at least of many persons coming here without adequate means of providing for themselves, under the mistaken notion, that their own labour or skill would suffice. Destitution in India, is to an European a state of extreme wretchedness, and a wearisome but certain road to premature death. The natives in many parts of India, though not so much in Bengal as elsewhere, would be greatly annoyed by European settlers, especially where the village system prevails. English landholders might be expected to give a great deal of trouble to the revenue department. The rigid system of the land revenue would probably be too strong for them; but what opposition might they not excite against any increase or alteration of the Sayer duties, or the imposition of other taxes, which in the course of time will, in all likelihood, become necessary. An enthusiastic proprietor of a zemindary might make it a focus of missionary zeal, which would disturb a province. New Courts of Justice, and with increased powers, would be wanted. I should think that, if the experiment were to be tried, it had better be confined at first to this Presidency, and either to a large district round Calcutta, or to the immediate vicinities of the superior Provincial Courts, which arrangement need not prevent British persons from occupying indigo, coffee, and cotton factories in other places, in the same way as they now do. When I have been led into conjectures as to the future destinies of India, it has sometimes struck me, that a time might come when there would be an attempt to establish, to a certain extent, a landed aristocracy, by assignments of the land revenue of particular districts in which it has been permanently settled, with such seignorial or magisterial rights as the Government might be able and willing to annex to the grant. Whenever such assignments could be sold for more than twenty years' purchase of the existing revenue, there would be a present gain to the Government, if the purchase money were to be applied in redeeming debt on which so much as five per cent. interest was payable; and if the assignments were not to be made beyond the extent of the territorial debt, I do not see how any claims of property of the Company

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upon the territorial revenues, whether real or erroneous, could be affected one way or the other. If such assignments were to be made to persons who had been long in the Company's service in India, or to other persons well selected, there would not be much risk in letting other British persons purchase or farm lands under them. For a considerable period it might perhaps be desirable, that these grants should not be inheritable, but that although they should be of the entirety, yet a condition should be annexed for the sale by the executor or administrator within a year after the death of the grantee; certain conditions of residence in India might also be imposed.

24. In consequence of the determination respecting Penang, which is understood to have been made, it seems to have become unnecessary to say anything on the papers which relate to it. I am sorry that I have not been able to compress my observations within narrower limits, but I will not conclude them without offering my sincere thanks to the Governor-General in Council, for the communication which has been made to the Judges with so much candour, and so much in a spirit of confidence, nor without expressing an earnest hope, that it may not be thought any undue advantage has been taken of this liberality, but more especially that in the vindication of the Court, which I have felt myself called upon to make, there is nothing which can tend to interrupt or impair the good-will which has hitherto subsisted between the Judges and the members of the Government, for all of whom I beg leave to assure them, that I entertain a cordial esteem and perfect respect.

Garden Reach, Calcutta,  
2 October 1829.

(Signed) CHARLES EDWARD GREY.

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No. 21.

MINUTE by the Hon. Sir J. Franks; dated 23 Sept. 1829.

RIGHT HON. LORD, AND HON. SIRS:

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IN reply to your letter of the 14th July last, addressed to the Judges of the Supreme Court of Judicature at Fort William, in which you were pleased to propose to their consideration, that the Members of the Supreme Government and the Members of the Supreme Court of Calcutta should be constituted a Legislative Council, with power to enact laws for the guidance of the several Courts established by the King within the territories of the East-India Company, and for the regulation of the rights and obligations of all powers subject to their authority; and in which you expressed your desire that, should our sentiments concur with those entertained by you as to the expediency and necessity of enlarging the legislative powers of Government, we should state the conclusions to which a consideration of the subject might lead us in regard to the mode in which such powers could best be exercised, and the limitations to which the exercise of them could best be subjected. I have the honour to submit to you the sentiments an attentive consideration of the subject of your letter has induced me to form.

Three questions arise upon that proposal:

1st. Whether the Members of the Supreme Government and of the Supreme Court  
should

should be constituted a Legislative Council, for the purposes mentioned in your letter.

2d. As to the mode such powers could best be exercised.

3d. As to the limitations to which the exercise of those powers could be best subjected.

And to enable me the better to explain the grounds of the opinion I have formed upon these questions, I,

1st. Shall recur briefly to the powers given by the Governor-General of this Presidency in Council;

2d. To the sources whence those powers are derived;

3d. State over whom, and with reference to what constitutions and codes of laws those powers are exercised, and the consequent difficulty in the station of Governor-General in Council, from the imperfect constitution of the Council.

1st. The powers of the Governor-General and Council, are those of a government to make laws, rules and regulations, political and civil, within the Company's territories in India (subject to such restriction as is provided by the statute 13 Geo. III. c. 63, s. 36); and as time and occasion may require, to modify and administer those laws, rules and regulations for the public good.

2d. They derive those powers partly incident to the high offices they hold by appointment of the Honourable the East-India Company, whose powers are derived to them from grants and charters of the Crown, and enactments of the Legislature of Great Britain, that confirm and enlarge the powers of the Company.

1669.—I refer first to the grant of the island of Bombay to the East-India Company in the year 1669, (before that time incorporated), to them and their successors. By that grant the General Court of Proprietors, or the Governor and Committee of said Company, are empowered to make laws and constitutions for the government of said island and its inhabitants; and to impose fines and punishments not extending to take away life or member, so that the punishment should not be repugnant, but as near as may be agreeable to the law of England; and a proviso was made thereby, that the East-India Company should enjoy the several powers granted thereby in all other ports, islands, territories and places they should acquire within the limits of their Charter.

I do not advert to Charters granted to the United Company between the time of the grant of that Charter of 1669, and the year 1773, because by the statute 13 Geo. III. c. 68, and 53 Geo. III. c. 155, s. 1, the whole Civil and Military Government of the Presidency of Fort William, and of all the territorial acquisitions and revenues in the kingdom of Bengal, Behar and Orissa, were thereby vested in and continued to the United Company, during such time as the territorial acquisitions should be vested in them.

A particular provision had been made by the statute 13 Geo. III. c. 63, s. 36, already referred to, whereby the Governor-General and Council may make such rules, ordinances and regulations as shall appear just for the government of the Company's settlement at Fort William, and the factories subordinate thereto, such rules, &c not to be repugnant to the laws of England, nor to be valid until registered and published in the Supreme Court.

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The powers thereby given are recognized and continued by the stat. 53 Geo. III. c. 155, s. 98, by which power was given to the Governments of this and other Presidencies of India, respectively to impose duties of customs and other taxes upon all persons resident or being therein, upon all property therein, and also upon such other persons and property as are mentioned in and subject, as in that section.

The 99th section gives power to the Governor-General in Council to impose fines for enforcing payment of such customs or taxes.

These are the sources from whence the powers of the Governor-General in Council of the Presidency are derived. It is not necessary to refer to those of the other Presidencies.

3d. The Governor-General in Council exercises these powers over British subjects, the native subjects of India, Mahomedans and Hindoos, and other persons born or resident in India, of whatever other religious sect or persuasion.

It is not necessary to observe here upon the restricted interpretation given to the words "British subjects." But it appears to me that a legitimate distribution of the people of the Company's territory will be found by classing them thus: natural-born subjects of the king, subjects of the king, and aliens.

British subjects are to be governed according to the laws of England, and so far as applicable to or modified for the benefit of that portion of his Majesty's subjects in India, Mahomedans and Hindoos, according to their respective laws and institutions, and all others not Mahomedans or Hindoos, according to the law of their domicile: to that law each owes at least a temporary allegiance, and from it is entitled to protection.

It is a rule of law that statutes enacted upon the same subject ought to be construed together and taken as one code, and thus the spirit with which one law within a code has been enacted, may become a direction by which to interpret different parts of the whole.

From hence it may appear that the difficulties of the Governor-General and Council, from the various other duties of his and their stations, as well as those imposed by such causes, are great. They have to perform with those that require the care of an empire, the application of principles of natural justice to the purposes of municipal laws, to perform at the same time the duties of legislators and lawyers, and to do so amongst a people differing from each other in language, religion and laws.

The case mentioned in your letter, as referred by the Supreme Court to His Majesty in Council, is one that shows inconvenience has been felt from an imperfect state of the law, and the want of sufficient power within this Presidency to reform and amend it as exigency may require.

A case had occurred some time before that, in which a person who had received a wound within the district and jurisdiction of the Supreme Court of Calcutta, afterwards and within a year after he had received that wound, died at the general hospital without the jurisdiction. That case was brought before the Supreme Court, and was referred to his Majesty in Council, for this reason, by the common law of England, a Grand Jury is sworn to inquire only for the body of the county, and if a man had been wounded in one county and died in another, it was doubted whether the offender was indictable in either Court at common law, because no complete act of felony was committed in either of them. By stat. 2 and 3 Edward VI., the Justices or Coroners of the county where the party died shall proceed as if the stroke had been in the county where the party died.

Your

Your Lordship and the Members of Council would not have doubted that the terms in which that statute were expressed, and the less so, with reference to the time of its enactment, were such as to prevent its being applicable to this district by any construction; and that as a case that required an extension of the law in like matters to this district, it was proper to refer it to his gracious Majesty in Council.

To such inconveniences may be added those that had arisen and may occur because of the state of the law as to registration of such rules, ordinances and regulations as come within the provisions of the statute 13 Geo. III. c. 63, s. 36, or are referable to it. Rules, ordinances and regulations made by the Governor-General in Council, by authority of that section, "for the good order and civil government of the United Company's settlement at Fort William, and other factories thereto subordinate or to be subordinate," may after registration be laws to bind the population of countries so extensive, at least as to British subjects, yet there are not any words, save the words "Factories," to confine the authority of such laws to them. But what may be the construction given to those words or that section? It admits the making rules, ordinances and regulations that require the assent of the Governor-General in Council, and registration by the Supreme Court before they become law, although under circumstances that preclude the Judges from knowing the reasons of their enactment, or the Governor-General in Council from knowing, before registration or rejection of them, the reasons or causes of registration or rejection of them by the Supreme Court.

Thus a rule, ordinance or regulation, well conceived for its general objects, may be rejected, because of some particular clause repugnant to the law of England, the merits of the rule, ordinance or regulation unknown to the Judges of the Supreme Court, and the cause of rejection not known to the Governor-General in Council until the moment registration was refused.

It is difficult, if possible, for Government to anticipate, by theoretic views, what laws may be wanted for good order amongst a people; those the results of experience are likely to be best, yet they are to be proved by trial, and either to keep pace with the changes of time or to be left absolute. Thus amendments become necessary, yet are unavailing because of the distance of the Legislature of Great Britain from you, so that wants are imperfectly communicated, and cannot receive perfect redress.

Whereas, if the rules, ordinances and regulations necessary for government should be proposed and discussed previous to the promulgation of them in the presence of the Government and the Judges, the motives, reasons and ends of rules, ordinances and regulations could be considered by them all before obtruded into law, and ends beneficial to justice might be accomplished, with a concurrence in duty desirable to all, by means not repugnant to the laws of England.

My Lord and Gentlemen, I have considered your proposal with reference to the classes of society, and comparative numbers amongst whom we are placed, without anticipating what a progressive state of society may suggest to your consideration at a future time, and after a most attentive consideration of that proposal, have the honour to express to you that I am convinced good effects would follow from the adoption of it.

2d. The second question arising upon your letter is, in regard to the mode such power could be best exercised; and it appears to me those powers could be best exercised by  
constituting



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constituting the Judges of the Supreme Court Members of the Council of this Presidency, together with the Governor-General and Members of Council, to be with powers equal to them for the purposes only of making laws, ordinances, rules and regulations for the government of the people of all classes within this Presidency, in matters civil and criminal, provided such powers should not be construed so as to render null any law of England or Great Britain now in force in this Presidency.

3d. As to the limitations to which the exercise of those powers could be best subjected.

That no rule, ordinance or regulation should be made for the purpose of altering, amending or repealing any law or regulation for any such purpose, until notice had been previously given by order of the Governor-General, or the order of the principal acting Member of Council of such meeting, to hear, deliberate and decide upon the rule, &c. to be there proposed; and that the like means for promulgation and registration of all laws, rules, ordinances and regulations now requisite by the statute 13 Geo. III. c. 63, in certain, should be adopted in all cases.

In considering the limitation it would be necessary to contrast it with the extent of the power to be given, and for this purpose it might be thought advisable to repeal the 7th section of the statute 13 Geo. III. c. 63, and 53 Geo. III. s. 1, 98 and 99, so far as relates to the powers to make laws, rules, ordinances or regulations, and provide by an enactment, that powers should be given to the Governor-General and Council, to be constituted as fully as had before been given by these sections or any preceding law, and so fully as to render their powers further sufficient to the purposes and objects intended.

The Judges of the Supreme Court may be placed in a situation of great responsibility, by taking part in making such laws, rules, ordinances or regulations as may be made; and I take the liberty to suggest, if they should be appointed Members of the Council, it should be lawful for them, or those of them who should attend any Council at which any law, rule or regulation of the Governor-General in Council should be made, in which the majority of the Judges who had thereat attended have not concurred, to present their protest to the Governor-General in Council, in such protest stating their objections, and the reasons upon which they were founded, to such rule, law, &c., and that every such protest should be forwarded to his Majesty in Council, and to the Honourable East-India Company, together with the rule or regulation to which it referred.

(Objection made to.)

It may be objected to the adoption of your proposal, that it would effect an union of the legislative and judicial powers, such as writers upon the theories of laws would prevent. But with the utmost deference to their opinions, the union proposed is not such as they contemplated. That proposed is not an union of the entire legislative with the entire judicial; that proposed would give participation in the legislative to the judicial, without giving judicial to the legislative; a voice to the judicial, not a will to the legislative.

The objection would not be applicable in any criminal case, because in such cases jurors are triers of facts.

Cases, within the jurisdiction of the Supreme Court at the civil side are tried by the Judges without the intervention of a jury. It may be thought (as to me appears) advisable to consider whether the trial on certain cases might not be by jury; as in cases of libel, and breach of contract of marriage or seduction; and that there should be a discretionary power to the Judges in other cases to order juries, triers, to be summoned. The objection,

objection, even if it ought to avail at all at the civil side, would thus be less of force; but when it is recollected that every adjudication at the civil side, when the same exceeds 1,000 pagodas, may be reviewed by an appellate tribunal, it will appear the judicial power in this Presidency is different from what those writers had in contemplation.

My Lord and Gentlemen, I here conclude, in reply to your letter of the 14th July last, most respectfully requesting that I may be excused by you for the length to which my letter has gone, as it proceeded from a desire to lay before you the grounds of the sentiments I have submitted to you.

Several documents have been handed to me by the Chief Justice of the Supreme Court, since I received and while writing my reply to your letter. I shall now proceed to advert to them.

The first of these documents is a Minute, dated the 15th April 1829, signed by the Hon. Sir Charles Metcalfe, Bart.; but as it contains, in a more condensed manner, objections contained in the other documents, I shall confine the observations I am about to have the honour of submitting to your Lordship and the Honourable Members of Council, to the statements and order in that Minute. It suggests, for the reasons stated in the Minute, that it is necessary to determine whether in matters of doubtful dispute the Government or the Court of Judicature ought to be supreme. I would not venture to contend for, or maintain the affirmation of the proposition in either branch of it. It is for the Legislature of the United Kingdom of Great Britain and Ireland, in its wisdom, to consider whether the laws and institutions of England have not prescribed to the magistracy their respective duties in the gradations of society, and whether an observance of those duties must not prevent collision between them, by means not repugnant to the constitution.

2d. That the extent of jurisdiction of his Majesty's Court of Judicature should be accurately defined.

By extent of jurisdiction of a Court, I mean such power as it may lawfully exercise over certain classes of people, within certain limits, by settled process of law.

The statutes intended to define the jurisdiction of the Supreme Court within this Presidency are, the 13 Geo. III. c. 63, s. 14, the Charter of 1774 (in effect a statute), ss. 2, 4, 13, 14, 15, 19, 22, 23, 26, 27, qualified as to the 13th s. of the Charter by the provisions of the statute 21 Geo. III. c. 70. s. 17. It is not so important to inquire whether doubt has existed, as whether it does exist in the construction of these statutes. If there does, surely it is better to define, declare and promulge the jurisdiction of the Supreme Court. It has jurisdiction, as a Court, civil, criminal, ecclesiastical and admiralty, in distinct capacities.

I shall refer to the institutions of its jurisdiction in this order, civil, criminal, and ecclesiastical; each owes its origin to the statute 13 Geo. III. c. 63. It was enacted long after incorporation of the East-India Company, and after it acquired extensive territories in India, and after it had added to the number of his Majesty's subjects who had come into India from his Majesty's dominions in Europe, the population of native subjects contained in those territories. It may therefore be supposed, that when the Legislature declared its intention, by the statute of 1773, the 13 Geo. III. to constitute a Supreme Court at Calcutta, as in the words of that statute, "to have full power and authority to exercise

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Extent of Jurisdiction

Order of the Jurisdiction of the Supreme Court.

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exercise and perform all civil, criminal, and ecclesiastical jurisdiction," it had in contemplation, at least for purposes of prevention and punishment of crimes, other classes of his Majesty's subjects within the territories then belonging to his Majesty acquired to his dominions, besides his Majesty's subjects purely British. My reasons for supposing it had, are, that taking these sections, the 13th and 14th of the 63 Geo. III., and 13th and 19th of the Charter together, they give civil jurisdiction, according to the English law, over British subjects, within the town of Calcutta, factory of Fort William, limits thereof, and factories thereto subordinate, in Bengal, Behar and Orissa, and criminal jurisdiction within the same limits, over those and all other subjects of his Majesty.

The statute 21 Geo. III. c. 70, is more precise as to the limits of the jurisdiction of the Supreme Court; it provides that the Supreme Court of this Presidency shall have power to hear and determine suits against all the inhabitants of Calcutta, saving to natives, as by that section, the right to have justice administered to them according to their own laws. But I do not find, in that or any other section of the statute or charter, any limit to the jurisdiction given to the Supreme Court of this Presidency, as to the offences committed by any of his Majesty's subjects in the factories of Fort William, or factories subordinate thereto.

Cause of the doubt as  
to Supreme Courts' ju-  
risdiction

The doubt left by these sections appears to have been because limits had not been fixed, or directed to be fixed to factories. It is merely a matter of mensuration in one sense, in another a matter of policy, that ought now to be determined, not by deciding what might have been intended, but what was most likely to conduce to the public welfare.

Although the law has described the limits as to place, and the classes of persons who are to be subject to the jurisdiction of the Supreme Court of this Presidency, by construction of words that admit, to certain limits, the issue of its process; no process of the Supreme Court of this Presidency can issue unless signed by one of its Judges; process of the Supreme Court issues grounded upon an affidavit that the defendant is liable to the jurisdiction of the Court, by what means, and of the cause of suit.

Inhabitants.

By construction given to the word "inhabitant," not only residents in Calcutta, but also persons, natives, who have houses called family houses, or houses of business, wherein gomastahs, clerks or servants reside, have been and are held to be liable to its jurisdiction and process.

Legal use of that word.

The word inhabitants was used in the 17th section of that statute in a clause that gave jurisdiction in such matters to the Supreme Court, and it became the duty of the Court to construe and apply that word, as it had been construed and applied in England.

A person who having such a house and servants residing in it, although not a resident in it himself, must be supposed to have persons there whose duty it is to receive writings and orders left there for him, and processes of law served there, as well as any other writings or orders.

2d Lord Coke's Insti-  
tute, 697.

The construction of the word "inhabitants," has arisen in England at various times, and in many instances; I shall mention one. By the statute 22 Hen. VIII. c. 5, for Repair of Bridges, it is enacted, "That if the bridges shall be without the city or town corporate, the repair shall be made by the inhabitants of the shire or riding within which the said bridges decayed shall happen to be."

Ibid, 702.

Lord Coke's comment upon this statute, p. 702 of the same book, is, "the persons to  
" be

"be charged by this statute are comprehended under this only word [inhabitants], which word is needful to be explained, being the largest word of this kind; for although a man be dwelling in a house in a foreign county, riding, city or town corporate, yet if he hath lands or tenements in his possession or manurance in the county, riding, city or town corporate, he is an inhabitant, both where his person dwelleth, and where he hath lands or tenements in his own possession, within this statute."

In the case of the Attorney-General v. Forster, 10 Vez. Rep. 339, comments upon various interpretations are given to the word "inhabitants." The Supreme Court appears to have construed it according to law, and the exigencies of time and place.

Lord Eldon, of that word.

It is now (as I conceive) understood by persons in that Court, the process of the Supreme Court may issue against British subjects and natives, actual inhabitants of Calcutta, by the statute 21 Geo. III. c. 70, s. 17, subject to the provisions of the Charter, s. 13, and also against natives not actual inhabitants, if constructively liable to the jurisdiction of the Court for such causes as mentioned.

The consequences found to follow from such constructive interpretation of the word "inhabitants," seem to me beneficial to the public, for the reasons I shall take liberty to offer.

Construction given to that word beneficial.

First, because persons who have such family houses, or houses of business, although they reside in remote parts of India, obtain and gain credit, and become debtors and creditors in Calcutta, because of such constructive inhabitancy.

Because, &c.

Second, because creditors who live in remote places may recover debts from persons who are inhabitants of Calcutta. Credit gives facility to trade, and in the relation of creditor and debtor, rights ought to be merely reciprocal as good policy admits.

Third, because of the contingencies, length of time and expenses that intervene, may cause one who should be obliged to sue another in a remote part of India, because of a debt that other had contracted with him in Calcutta. The evidence of his contract must be supposed to be where it was made; and the expenses of bringing witnesses to a distant place a large deduction from his demand.

Fourth, because the instances that most frequently occur in which such constructive interpretation has been given in the Supreme Court to the word "inhabitants," are those in which joint families, persons joint in trade, or the contract sued upon are the defendants, having family houses or of business, as banker or shroff, for such business; and in case of joint contracts of any kind, made in or to be performed in Calcutta, if actual inhabitants of Calcutta, shall be those only liable to be sued there; the plaintiff, with whom the contract was made, if not paid, must proceed by as many suits as there are separate jurisdictions of his joint debtors; leaving as to the defendants' rights to contribution each from the other, to pay the plaintiff, undetermined.

3d par. of the Minute. I do not believe it was the intention of the Legislature that the Indian subjects of his Majesty should be amenable to two sets of Courts and two codes of laws; nor do I think there is such double effect as stated in this paragraph. The Legislature appears to have given concurrent jurisdiction within Bengal, Behar and Orissa, to the Supreme Court, over certain subjects of suit, as by the 13th section of the Charter, and the 21 Geo. III. c. 70, s. 17, as mentioned in these sections. The system of law is more perfect in England; yet there the subject is amenable to several jurisdictions at

law,

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law, to that of the Courts of King's Bench, Common Pleas and Exchequer; in equity, to those of the Court of Chancery and Exchequer at its equity side; yet no inconvenience has been found or complained of there for such cause; nor can the subject in England, or within the jurisdiction of the Supreme Court here be liable, in the same suit, to different Courts or tribunals; because, according to principles of natural justice applied to our municipal codes of law and equity, the pendency of a suit in a Court of competent jurisdiction would be cause to abate it, if made subject of suit in another.

4. I know not of the occurrences alluded to in this paragraph, save as traditions of past times.

Case of a native ser-  
vant of the King of  
Oude.

5. The native alluded to in this paragraph was arrested under process of the Supreme Court, issued grounded upon an affidavit made by a Mr. William Morton, of a debt, because of liability, supposed from constructive inhabitancy.

By the Charter of 1774, s. 15, if a person, or any person acting for him, shall swear that his debtor is indebted to him 100 rupees current, and is subject to the jurisdiction of the Supreme Court, he thereby becomes entitled to obtain a writ of *capias* to cause the person so indebted to be arrested and held to bail, for that or whatever larger sum should be sworn to be due. The 26th Rule of the Court is, that every such affidavit shall not only aver that the defendant is subject to the jurisdiction, but in what manner, as by inhabitancy or other sufficient cause. In the case alluded to, the affidavit stated the defendant was liable to the jurisdiction as an inhabitant of Calcutta. Similar writs are issued forth of the Courts of Law at Westminster by the officers of the Courts, but not for so small sums. The Court here (Supreme Court) does not allow a writ of *capias* to issue, save upon affidavit that 400 rupees are due; the Court of Requests has jurisdiction to that amount.

The proceeding being to compel a defendant to appear, is from its nature *ex parte*. When a defendant has appeared, he may plead he is not subject to the jurisdiction of the Court, and the issue thereon is first tried; or he may waive the former plea, and plead he is not in debt to the plaintiff; or plead both. And although the defendant should not plead to the jurisdiction, yet the plaintiff should prove his allegation that the plaintiff is liable to the jurisdiction. So that the Court cannot know how any of these facts are before the trial of them. In the case of the native lately a servant of the King of Oude, he took issue upon both averments; and that of jurisdiction, first tried, was found for him. The decision of the Court, therefore, in effect was, that they had not jurisdiction to try the case of that nature.

He having so far succeeded, obtained an information (a proceeding for an offence charged) against the plaintiff, Mr. Morton, who had caused that arrest, and others his alleged associates for a conspiracy, to charge him, the native, with a debt, or have him thereupon arrested. In such a proceeding, malice is an integral part of the offence. But if the prosecutor in the information was in fact indebted to the plaintiff in the action at the time of the arrest of the defendant in the action, the charge of malice was answered. Thus the question, whether debt due or not, incidentally arose. There was evidence to show the defendant was indebted at the time of the arrest to Mr. Morton, the plaintiff. He since then died. But until the question shall be tried (if it ever should) in a direct issue between those who represent him, and that native, it cannot be known the allegation of the debt was false.

6. The charge is general, I know not to what it alluded ; no bond can authorize seizure of property as therein stated, unless judgment had previously been obtained upon it, and execution thereon issued, without statement of the facts, however a presumption ought to exist if there was a bond, and judgment upon it, either that a suit upon the bond was not defended or that judgment was had by consent, or possibly upon a verdict after trial of the merits.

Upon paragraph 7, I request permission to refer to the reply of Sir Charles Grey, Chief Justice of the Supreme Court, to the Minute upon which I at present have the honour to observe, for a statement of the case referred to in that Minute. My reasons are, he was the Judge who presided in the ordinary course of business during the sessions for criminal business at which that case was tried.

The course of business at the sessions for such purpose is, that all the Judges sit during the charge to the Grand Jury, of the Judge who presides.

The other Judges retire after the preceding Judge has charged the Grand Jury, and unless upon a trial upon a indictment for the crime of murder, or some case that may require the attendance of all the Judges, they do not meet again upon the affairs of that sessions until they have been concluded.

Whereupon all the Judges meet in chamber, to hear the reports of the Judge who had presided, and decide upon the sentence that ought to be pronounced upon each person who had been convicted before him during the preceding sessions.

At the close of those sessions, the Chief Justice read his notes of that case to his brethren, and suggested to them to consider whether it would not be right humbly to submit the facts of it to the consideration of his Majesty in Council.

The suggestion of the Chief Justice was approved by his brethren. It appeared to them, that as doubts were spread as to the jurisdiction of the Court, and as grounds to sustain such doubts were to be found in the Charter, it was better to refer the case, with the respect due to that high tribunal, to the Court of Appeal from the decision of the Supreme Court, that by the authority of the adjudication of a Court of ultimate resort, the law should be so declared as to prevent doubt upon such case in future.

The case alluded to was thereupon signed by all the Judges, for the purpose of being humbly submitted to the adjudication of his Majesty in Council ; and I most respectfully expressed my hope, that after the facts of that case shall have been referred to, they may appear sufficient to show, the Judges who so acted were under the impression of a proper caution in the administration of justice, and not acting under the influence of a desire to extend the jurisdiction of the Supreme Court of this Presidency. I do not know to what the statement in the eighth paragraph alludes. A Court of Equity, in the exercise of its jurisdiction, acts *in personam*, and, because of its jurisdiction over the person of a party to a suit, may have jurisdiction over property without the jurisdiction. The jurisdiction over persons may be (as has been shown), because of constructive residence. The statement in this paragraph, as to European Receivers, alludes to matter not brought to the notice of the Court ; I know not of them ; of the Receivers as appointed by the Court I shall make some observations in progress.

The orders of Court are void as to persons not parties to suit, or served with its order.

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I concur in the statement in the Minute, that a clear definition of the extent of the Court's jurisdiction, with respect to native subjects resident beyond Calcutta, is required. The sum of my reasons is, that when the statute 13 Geo. III. was enacted, the British subjects of his Majesty "were but a few of them, and they strangers in the land."

They are described in terms that cannot be misapplied, when the words British subjects are used, in statute 13 Geo. III. c. 63, s. 14; but in that section the words "subjects of his Majesty" are used; so in the 13th section of the Charter of 1774.

The 19th section of the Charter appears to me to have been intended to make all persons within the limits of Calcutta, factory of Fort William, and subordinate to it, amenable to the jurisdiction of the Court, as to offences.

These sections are referable to the times in which they were enacted, and account for doubts that may exist as to classes of persons over whom the jurisdiction of the Court should extend; but if the limits of the factories of Fort William, and thereto subordinate, should be marked out, and the construction put by the Court upon the word "inhabitants" acquiesced in, or it should be defined, I apprehend any questions that cause disquiet upon these topics would be set at rest.

I had already had the honour of submitting to you what occurred to me upon the interpretation of that word, and the consequence that might follow from taking from the Supreme Court its jurisdiction over "inhabitants" in a constructive sense, such as has been explained.

The latter part of the 8th, and whole of the 9th, relate to Madras; the 10th, 11th and 12th paragraphs to Bombay.

Declaration that the  
Judges do not desire  
to extend their juris-  
diction.

I beg leave to observe upon part of the 12th paragraph; it applies to a supposed desire of the Court to extend its jurisdiction. I assure the honourable Baronet I have not been, nor do I believe my brethren have, or are desirous to extend its jurisdiction. The duties of their office place them in a situation that sometimes make their refusals of applications seem a denial of justice, and at other times subject their compliance, under circumstances that require it, to the censure of an encroachment of jurisdiction; each case ought to be judged of by its facts and circumstances, and the Judges of the Court by what is apparent and probable. Their occupations are many and continued, in an exhausting climate; and, conscious of their responsibility, they are more anxious to perform their duties than to extend their jurisdiction.

To the considerations suggested 1st, 2d, paragraph 12, I have already submitted such observations as occurred to me.

The observations that follow in paragraph 12, lead to a statement of the classes of persons subject to the jurisdiction:

1. British subjects; 2, 3, 4 (front).

It appears to me an accurate classification.

Inhabitant, to define,  
not necessary.

But I take the liberty to say, it appears to me rather advisable than necessary to give a distinct definition to the term "inhabitant." The law of England, and the interpretation given to that word by the Supreme Court of Calcutta, leave it now without doubt. It has been applied by adjudication to persons who reside out of Calcutta, however distant, if within the Company's territories, and that the cause of their being held so liable is their  
having

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having houses and servants in their pay residing in them, within Calcutta. It thus becomes a question of expediency, whether the law is to remain as received by the Court, or altered as to constructive jurisdiction upon which it has acted.

The Minute states that the law ought to be declared as to acts committed within the territories of Native Princes.

The suggestion probably arises from the statute 33 Geo. III. c. 62, s. 66 ; I have not heard of the case alluded to.

That statute must have been enacted for the vindication of Native Princes, and it may be approved, that their magistracy should concur in giving operation to it. Thus, provided that no arrest of a British subject, charged with an offence committed in the territory of a Native Prince, should be lawful, unless the warrant for his arrest, lawfully issued forth of the Supreme Court, had been endorsed by a magistrate of competent authority within the territory of such Prince, to authorize an arrest for such an offence.

The Minute states, that process of the Supreme Court ought to be executed by the local magistrates, and by the officers of the Supreme Court.

The process alluded to I take to be that of sequestration, or effected by appointment of a Receiver. The effect of appointing either is the same as to the lands of the party. Such officers (for by appointment they become so far officers of the Court) are authorized by the orders that appoint them to receive the rents or other property liable by the process of the party against whom it issues.

The object of such process is to compel a party who has disobeyed the process, decree or order of the Court, to be obedient to it, or in cases of doubtful right appearing upon the answer of a defendant to a suit, to have the rents or other subject of the suit, where of nature to admit it, paid into the Accountant-General's hands, and placed in bank to credit of the pending cause, in *usumjus habuistis*.

Before appointment of such officer, the Court refers it to the Master to appoint a proper person, who gives security to perform the duties of it. In the Supreme Court an officer of the Court is, upon consent of parties, appointed Receiver ; but the party upon whose application a Receiver is appointed may nominate who he pleases, subject to such approbation.

After the rents or property have been placed to the credit of the cause by such means, it becomes competent to parties in the cause, or persons who have prior right to the property seized, or subject to the Receiver, to apply to have their rights referred to the Master to be ascertained, and themselves paid. An order is thereupon made, that the Receiver shall account, and the report of the Master bringing before the Court the state of the funds, and right of the applicant, an order is accordingly made. If there should not be funds so applicable, the party who had applied is left, as before, not affected as to his right or remedy, by any order the Court had made.

It is necessary the person who should receive money to be so applicable, should be daily liable to the orders of the Court, and to answer for a contempt of Court, in case of disobedience to any of them.

Should officers or local magistrates of the Mofussil be appointed sequestrators or receivers, they would become thereby, *ipso facto*, officers of the Supreme Court in the

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Arrests in territories  
of Native Princes.

Receivers.

causes



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Registration of De-  
crees in the Mofussil.

As to principal juris-  
diction, subjects partly  
European, part Asia-  
tic, to be subject to  
British law;  
British subjects, as to  
civil, to the local;

Subject, however, &c.

Supreme, to be a  
Court of Appeal.

Benefit to be ex-  
pected.

causes in which they should be appointed, and subject to imprisonment for disobedience to its orders. If local magistrates or officers, not officers of the Court, were to act as sequestrators or receivers, it would not have jurisdiction over them.

The Chief Justice of the Court (lately) advised that decrees or orders, whereby lands in the Mofussil were to be made subject to receivers, should be registered in the Native Court of the district where the lands lay. The object was to give notice of the decree, and prevent surprise. To register the decree would give notice of its object. As to lands in the Mofussil, it could not be registered without consent of the Government, nor could the mere registration of it affect any prior right.

I entirely concur in the recommendation of the Minute, that it would be better to place the class of subjects partly European, partly Asiatic, on the footing of British subjects as to the criminal jurisdiction: it would be received by them most probably as a privilege.

I concur in the opinion expressed in the Minute, that as to contracts beyond the local jurisdiction of his Majesty's Courts in these provinces, British subjects ought to be subject to the local jurisdiction; and as to acts or contracts done or made, or lands situate within the jurisdiction (limits of, I mean) of the Supreme Court, British subjects ought to be subject to the jurisdiction of that Court. I however beg leave to suggest, that the removal of the party into either jurisdiction ought to make him subject, as to debts and contracts, to the authority of its Courts, because credit is personal, and liability to debt or contract follows the person to whom it was confided.

I have for some time thought, and have the honour also of expressing concurrence in the opinion expressed in the Minute, that the Supreme Court, constituted a Court of Appeal from the decrees of the higher Local Courts, might, under modifications, be productive of public benefit. Upon this subject, so important, it may be thought advisable to consult the retired Judges, who now in England have much information and experience as to the constitution of the Supreme and Local Courts in India.

The benefit to the public I should expect from such a constitution of the Supreme Court, would be, that still preserving to his Majesty's British subjects in India the right and administration of English law, a Court so constituted for such purposes would promote inquiries in judicial proceedings according to English law of evidence, and attain greater uniformity of decision; subsidiary alterations, as supposed by the Minute, might be expected to follow.

Rules of evidence, in every state, are modes of inquiry into truth, and tend to that end most directly by the testimony of credible witnesses, and relevant documents.

The rules of evidence of the laws of England are not voluminous, considering the various jurisdictions and classes of subjects to which they relate, its tenures, commerce, revenue, contracts, offences committed within its territories, and some even without them, its Justices of Peace, and summary, as well as plenary authorities. The rules of evidence would be considered concise, if referred to each head to which they might be applied. The rules of evidence of Mahomedan and Hindoo law are far behind where either law prevails, sometimes giving credit to the greater number of witnesses, and sometimes rejecting them because of kindred.

The laws of succession to lands in different countries owe each their origin to some particular cause, feudal or commercial. In India the laws of succession seem to have been

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been produced from suggestions of nature to provide for offspring, widow, and kindred, and they prescribe rules for partition amongst them.

The laws of contract of most countries have resemblance to each other, to have been the result of like necessity, and progression of causes.

Service and hire, buying and selling, loan and pledge, mortgage, &c., relations of contracting parties, that each suggest a necessity of duty, are common to the laws of England, Mahomedans, and Hindoos.

I apprehend the rule as to liability to jurisdiction of an executor or administrator is, as supposed, to be the correct rule by the Minute; that persons in such relation ought to be subject to the jurisdiction, because of such debts or contracts of the deceased, as they may as his representatives be held liable to perform such as plainly and necessarily arising out of, are incidental to the inquiries to which such debts and contracts give rise, and none other.

(Signed) JOHN FRANKS.

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No. 22.

MINUTE, by the Honourable Sir E. Ryan, dated 2 October 1829.

RIGHT HON. LORD AND HON. SIRS:

In reply to your letter of the 14th July 1829, I have the honour to communicate the opinion which I have formed on the expediency and necessity of enlarging the legislative powers of Government, of the mode in which I conceive such powers can be best exercised, and the limitation to which the exercise of them should be subjected.

I have not, however, felt it necessary to confine the expression of my opinions to the nature and construction of the proposed Legislative Council; the papers which were under the consideration of Government, and which accompanied their letter, have induced me to enter into other matters connected with the administration of justice in India, and to explain some instances in which the Court is supposed to have exceeded its jurisdiction, and as to which, it appears to me, much mistake and misapprehension has existed in the minds of some of the Members of Government.

I have found it most convenient to arrange what I have to offer on these subjects under the following heads:

I. The inconveniences and evils attendant upon the present imperfectly defined jurisdiction of the King's Courts in India.

II. The alterations in the judicial system of India which a free admission of Europeans would render necessary.

III. The expediency and necessity of enlarging the legislative powers of Government.

I.

Upon many of the questions relating to the jurisdiction of the King's Courts in India it would not have occurred to me to make any observations, had they not been presented to my notice by the papers which accompanied the letter, and particularly by the Minute of Sir Charles Metcalfe. I feel, however, that it is desirable that the Judges should give the fullest explanation in their power of the views they take of what has appeared so objectionable in the supposed assumption of jurisdiction.

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# 1172 FIFTH APPENDIX TO THE THIRD REPORT OF THE

1. A recent appointment by the Supreme Court of a Receiver to collect the rent of land in the Mofussil, which had been apportioned under a decree of partition, appears to have led to the consideration of the general question, whether the Supreme Court has jurisdiction over immoveable property in the interior of the country in all cases in which the possessor or owner is personally subject to its jurisdiction.

Many supposed cases of evil likely to arise from the exercise of such a power have been stated, and there appears to be a general opinion entertained by the Members of Government, that neither the Charters nor Acts of Parliament confer on this Court the power which it has assumed over land in the provinces.

That there is little or no reason to apprehend that any great practical evil has as yet arisen, may be safely inferred from no instance of the kind having been mentioned, although the Court has exercised this jurisdiction from its first establishment. The Minutes of Mr. W. H. Macnaghten and Mr. Hogg have satisfactorily shown that neither the revenues of the state or the occupiers of the land are in any way prejudiced, and that the fears which are entertained are chiefly founded on mistaken notions of the control which the Court exercises over the Collectors and occupiers of land. But without stopping to consider evils that have not arisen, and which, if likely to occur, might easily be avoided, with the assistance which I am sure this Court would receive from the Local Government, I proceed to the more general question, whether the Court has exceeded its jurisdiction.

The 13th section of the Charter of 1774 gives the Supreme Court power and jurisdiction to determine all actions and suits of what nature or kind soever, &c., or any "rights, titles, claims or demands of, in or to any *houses, lands* or other things, real or personal, in the several provinces or districts of *Bengal, Bihar* and *Orissa*, or touching the possession or any interest or lien in or upon the same, and all pleas, real, personal or mixt." It then goes on to specify the persons against whom such suits or actions may be maintained. The 14th section empowers the Court to give judgment between the parties to such suits. The 15th section authorizes the Court to issue writs of execution to the Sheriff, commanding him to "seize and deliver the possession of houses, lands or other things recovered in and by *such* judgment, or to levy any sum of money which shall be so recovered, by seizing and selling so much of the houses, lands, debts or other effects, real and personal, of the party against whom such writ shall be awarded, as will be sufficient to answer and satisfy the said judgment, or to take and imprison the body of such party or parties until he or they shall make satisfaction, or do both, as the case requires."

From the express words of the Charter, from the constant usage of the Court, from a similar construction having been put on the Charters at Bombay and Madras by the Judges of those places, from the absurdity which would follow in giving the creditor the right to imprison his debtor, but not to take his property, I cannot entertain a doubt that this Court has, and that it would be an anomaly if it had not, jurisdiction over immoveable property in the provinces, in all cases in which the person interested in such property is personally subject to its jurisdiction. I must confess it is with some surprise that I find such strong statements of the Court's interference with landed property in the provinces being an encroachment not contemplated by the Legislature or the Charter, after the Government

Government has so long been in the possession of the views of those on whose opinions they would naturally rely in matters of this nature. The Advocate-General at this Presidency in 1805, Mr. Robert Smith, says, "It is perfectly clear that property throughout these provinces is liable to the process of the Supreme Court, wherever the proprietor is subject to its jurisdiction." "It is equally clear," (he adds) "upon the most acknowledged principles, that in cases of dispute whether the proprietor be or be not subject to its jurisdiction, or whether property attached by its process be or be not subject to its jurisdiction, or be or be not the property of a given person, these questions of fact must necessarily be tried before the Supreme Court itself; that the only way of contesting them directly, and procuring them to be countermanded or annulled, is by an application to that authority; and that a forcible resistance ought to be prevented as a breach of the peace." In 1818, Mr. Macklin, Advocate-General at Bombay, and Mr. Spankie, filling the like office at this Presidency, gave opinions to the same effect.

Doubts having arisen at Madras as to the exercise of this power;

The Court of Directors in 1823 took the opinion of their Standing Counsel, Mr. Serjeant Bosanquet, who says, "there can, I apprehend, be no doubt that the jurisdiction of the Supreme Court does extend to the attachment and sale of property belonging to persons subject to its jurisdiction, wherever situated."

2. Another instance in which the Court is supposed to have exceeded its jurisdiction is in the extended construction it has put on the word "*Inhabitant*." As a practical instance of the evils arising from such an extended meaning of this word, the case of *Morton v. Mehdy Ally Khan* is alluded to in the Minute of Sir Charles Metcalfe; this cause was tried since I have had the honour of a seat in the Supreme Court.

The jurisdiction was successfully contested by the defendant, and he was decided not to be an inhabitant of Calcutta, because it was not *satisfactorily* shown to the Court that he occupied, by his servants or gomastahs, a house in Calcutta, in which his servants or gomastahs carried on business on his account. There was conflicting testimony as to these facts; some evidence was given of the existence of the debt which the plaintiff claimed; but that question was not entered into fully, it being unnecessary to proceed farther after the Court had decided the defendant not to be subject to its jurisdiction. The defendant did reside at a considerable distance from Calcutta; but it has not, to my knowledge, ever been shown that the debt, on which an attempt was made to arrest the defendant, was not legally due. I am free to admit "that this Court has powers which were not expected at first to have so wide a range; and when, in rare instances, they are called into action at vast distances, that they may be at once ineffectual and inconvenient;" but this objection the Court has not the power to remedy. It may seem "an outrage to common sense to call one a constructive inhabitant of Calcutta who has never been within many hundred miles of the place;" but it certainly is no new doctrine invented by the Judges of the Courts of India for the purpose of extending their jurisdiction: for in my Lord Coke's time it was decided, that a man living in Cornwall may, to many purposes, be an inhabitant of London; and that learned person held, that for the purpose of contributing to county rates, under the statute of Bridge, occupiers of lands, though wholly residing in a foreign country, are assessable as inhabitants.

The most distinguished lawyers of modern times have sanctioned these opinions. Lord

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Eldon says, "this word is capable of a larger or more limited interpretation; the construction is always to be made with reference to the nature of the subject." "That inhabitancy might refer to residence, or it might be wholly independent of it." "The word inhabitant (says Lord Tenterden, the present Chief Justice of the King's Bench), like many other words in our own and other languages, varies in its import, according to the subject to which it is applied."

Sir Charles Metcalfe thinks, "that persons residing elsewhere, who formerly have resided within the local limits, must be amenable for acts committed during their residence within the limits, but ought not to be so for acts committed within the jurisdiction of the Provincial Courts, or elsewhere beyond the local limits of the Royal Court's jurisdiction." The charters of the Mayor's Court of 1726 and 1753, expressly provided that persons resident at the time the cause of action accrued, as well as those who are resident when it is commenced, should be subject to the Court's jurisdiction. Natives who have traded in Calcutta, and have afterwards absconded, have been held subject to the Court's jurisdiction for contracts entered into during their residence. This would be conformable to Sir Charles Metcalfe's views, and also to the express provisions of the charters of the Mayor's Court; and yet this equally deserves the name of *legal hocus focus*, or *legal legerdemain*, with other cases of constructive inhabitancy; for the party is no longer *resident* within the assigned limits, and cannot therefore, in the common meaning of the term, be called an inhabitant. But this, which Mr. Serjeant Bosanquet states, in the opinion to which I have before alluded, "to be a very reasonable ground of jurisdiction," I admit is very different from the case of a person like Mehdy Ally Khan, who had never been in Calcutta in his life. I will not enter upon a legal argument to show that the Court is borne out by authority and principle in the interpretation that it has given to this word, when it includes in its meaning persons who may never have been within the local limits of Calcutta. "Actions (as Mr. Serjeant Spankie observes, in an opinion given to Government) against shroffs at Benares, Patna, &c., who have koties in Calcutta, managed by the gomastah, though the principals never were in Calcutta in their lives, occur daily, and such circumstances have ever been considered a settled ground of jurisdiction as inhabitancy." But leaving the question of technical law, which appears to be so unintelligible, would it be equitable or just, as Mr. W. H. Macnaghten observes, "to allow a man to enter into all kinds of commercial engagements, and to exempt his property from the liability to which he has subjected it, simply because he does not happen to be in the same spot where the contract may have been entered into?" Must the creditor leave the spot where the evidence of the contract is, and follow the person of his debtor from zillah to zillah; or if his property (as with native bankers is constantly the case) is situated in different districts, subject to different Courts, must the creditor employ vackeels or agents to sue in each, and be subject to all the vexation and annoyance of a multiplicity of suits, instead of one; and if he happens to be a British subject not allowed by the law, as it at present exists, to stir without license farther than ten miles from the Presidency, may he not be wholly unable to select agents in whom he can confide in such Courts? It is to be feared the best that can be selected not unfrequently listen to the proposals of the opposite party, and neglect the interests of their client. I am sure that no restriction would be imposed on the British subject

subject seeking his debtor in the provinces ; but when the Judges were called upon to construe the charters and statutes which give the Court jurisdiction, the intention of the whole must be taken, and such inconveniences and evils could not be overlooked. " It may be said (Sir Edward East observes), that the creditors have a remedy in the Provincial Courts ; but such is the state of business in those Courts, the uncertainty of the system of law, and the delay and vexation of a protracted attendance, that many persons prefer to abandon their just demands rather than pursue them there ; an evil that must naturally increase with the increasing population of the Indo-British dominions, and is much aggravated by the accumulated arrears of those Courts." I feel confident the only safe construction of the term "*inhabitant*" is that which the Court, in the instance complained of, has adopted, and that any other would have led to much fraud and injustice.

3. Another instance of extended encroachment, on the part of the Court, mentioned by Sir Charles Metcalfe, is the case of Khoda Bhuksh and others. I forbear entering into this question here, because the Judges have put the Government in possession of their views of this case, and of the important questions which arise out of it ; from which I am sure Sir Charles Metcalfe will perceive that he was somewhat premature and unguarded in casting imputations upon the Judges of so grave a character, founded, as it would now appear, upon information altogether erroneous.

3. It is thought objectionable that natives (not otherwise subject to the jurisdiction of the Supreme Courts), who apply for probates of wills and letters of administration in order to authenticate their title to property, have in consequence of such acts been held liable to the Court's jurisdiction. A case of this kind, which occurred at Madras some time since, is mentioned by Sir Charles Metcalfe.

It is not my intention to enter into the facts of that case ; but as the Court here, to a limited extent, has assumed a similar jurisdiction, it is necessary to state the view I take of this question. This Court has for some time held, that all natives obtaining probates of wills or letters of administration, though not inhabitants of Calcutta, or otherwise subject to the Court's jurisdiction, make themselves by such acts liable to all suits and actions relating to the property of the deceased testator or intestate : that they are generally amenable to the Court's jurisdiction, has, I believe, never yet been held in this Presidency.

A practice has certainly prevailed for some time of granting letters of administration or probates of wills to natives ; but the ecclesiastical jurisdiction of the Supreme Court, and the right to grant probates or letters of administration, is in terms expressly confined to " British subjects." It is probable that this practice has become prevalent, owing to the refusal of Government to pay money without the representatives of deceased Hindoos or Mussulmen can thus authenticate their title. " In a late instance," says Sir Edward East, " where the Government had reasonably refused to pay money to one who claimed to be the representative of a deceased Hindoo entitled to it, without assurance of his representative character, I could devise no better method, in justice to both parties, than to admit him, at his own request, to deposit the will as in registry with the registrar of the Supreme Court, on the ecclesiastical side, and to administer a voluntary oath, at the Hindoo executor's request, verifying the will and his own representative character. But

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by way of precaution, and that no person might be induced by it to attribute a greater authority than belonged to such an act, I directed the registrar to draw up the verification in writing, which was to be given to the party by way of memorial of his claim, as having been made *voluntarily*, and noting that the will was *not registered*, but voluntarily deposited as a registry."

The Court having no power to grant probates or letters of administration to deceased Hindoos or Mussulmen, although the party applying may be a native inhabitant of Calcutta, and it having been uniformly held that no such authority is necessary to establish the title of parties who sue in the Supreme Court as the representatives of such persons, I am unable, although I speak with the greatest respect and deference to my learned brethren, who are of a different opinion, to see how an extra-judicial proceeding on the part of the Court totally unwarranted and unauthorized, can make persons subject to its jurisdiction, although such proceeding may be at the request of the party who is thereby held to render himself amenable.

This view of the law was formerly taken by the Supreme Court at Madras in 1815. The Court *then* held that the taking out of probate of a will by a native, not an inhabitant of Madras, did not make him subject to its jurisdiction, even with reference to matters relating to the will; and the Judges also thought it wrong to grant probate where it could not punish a party guilty of perjury in obtaining it, nor call him to account for a mal or mistaken administration of his trust. According to the opinion I have formed of this exercise of jurisdiction, I am bound to say that the Court has exceeded its powers, and that the observations of Sir Charles Metcalfe are in this case well founded.

5. It is not my intention to enter into any explanation of the objections which are contained in the Minute of Sir Charles Metcalfe to certain proceedings of the Courts at Madras and Bombay. I feel that it would be more respectful to the learned persons who preside over those Courts that I should abstain from reviewing their proceeding, with which indeed I am not sufficiently acquainted to speak with accuracy.

From similar motives I abstain from making any observation on the papers relating to the Recorder's Court at Penang, particularly as it seems not improbable that the proceedings of that Court may become the subject of inquiry in England.

6. As a remedy for evils which may arise from the Supreme Courts in India assuming a jurisdiction which the Government may think they do not possess, it is proposed by Sir Charles Metcalfe that there should be vested in the Government the power of calling upon the Court to explain the grounds of its proceeding; and if, notwithstanding any explanation they may receive, they remain convinced of the illegality of the supposed extension of the Court's powers, they should have a right to appeal, *and* in a case which *they may judge* to be of sufficient importance, the power of arresting the progress of the encroachment pending the result of the appeal.

For the first part of the suggestion, namely, that the Court should explain the grounds of its proceeding, there can be no reason for any legislative enactment; it is the practice of all Judges in English Courts of Justice to explain the reasons on which their decision is founded. In the Supreme Court of this Presidency it is the custom of the Judges, where the parties have the power and are desirous of appealing, to deliver, if requested, their

their judgments in writing, in order that they may be transmitted to the higher tribunal if the parties think fit. That the Government should have the right to appeal, in any instance in which they thought the Court had exceeded its jurisdiction, would be a course to which the Judges could in no way object; on the contrary, it would be a satisfaction and relief to them to have all doubtful points settled by the highest tribunal; but in civil proceedings the suitors might have interests with which the course proposed to be adopted might interfere, and as regards them this power would require to be exercised with some limitations and restrictions. The only part of the proposal which I think objectionable is, that the Government should have a discretionary power of suspending the functions of the Court whenever they may deem it expedient. To invest the authorities here with such a power would be contrary to all principles of English Government as exercised in the other colonial possessions of the Crown, and possessed only by the most despotic governments in the world.

The necessity of the separation of the judicial and executive power is the commonplace of all text writers on the English law and constitution, and I confess I can see nothing in the constitution and powers of the King's Courts in India, or in the circumstances of the country in which we are placed, which could authorize so dangerous an infringement of all first principles of British Government. That the jurisdiction of the King's Courts should be accurately defined, and that its powers should be restricted and limited in such way as the Legislature shall think most beneficial for the interests of all concerned, is most desirable; but the law having been fixed, it cannot be left in uncertainty as to who are to be the persons to interpret it: some set of persons must be assigned for that purpose. If the Judges appointed by the Crown are to be the interpreters, their judgment must be final, until reversed by some tribunal empowered to review their decision. By the Charters of the Mayor's Courts of 1726 and 1753, the suitors of the Court in civil proceedings had the power of appealing to the Governor and Council, whose decision was final, if the subject matter in dispute did not exceed 1,000 pagodas; but in case it exceeded that sum, the parties had a right to appeal from their decision to the King in Council.

An attempt to introduce a similar provision was made by Mr. Sullivan in 1772, but his bill was thrown out, and the Act of Parliament passed which authorized the Crown to grant the present Charter, making the appeal direct to the King in Council. It is obvious therefore, that the Legislature at that time did not think it fitting that the decisions of the Supreme Court should be reviewed by the local Government, even in a legally constituted Court of Appeal, though Courts of this description, of which the Governor and Council are members, exist in most of the other colonies. If the Parliament should vest in persons here the power of making laws for all classes of his Majesty's subjects, then indeed there would be a ready and constitutional means of avoiding all difficulties that could arise from any interpretation being given to the laws which was thought injurious to the interests of the State; and even without such a power, I do not mean to say that some great question of state necessity or expediency may not make it incumbent on the Government to interpose its authority, and to prevent the law taking its course; but these emergencies are of rare occurrence, and are of course only to be justified by the particular circumstances of the case, as are like infringements of the law in England, for which,



which, where the necessity is apparent, Parliament indemnifies the Government against the consequences of their act.

7. Although I have attempted to explain some mistakes and misapprehensions which I conceive to exist, as to the jurisdiction which the Court exercises, I am free to admit that, on several important points, our jurisdiction is involved in doubts, which have given rise to questions of a very embarrassing nature.

Our letter of the 18th of May, addressed to the Secretary of the Board of Commissioners for the Affairs of India, a copy of which was transmitted to the Governor-General in Council, will have explained, at some length, many of the difficulties which have occurred to the Judges on the interpretation they are called upon to give to the Charter and Statutes, as regards the jurisdiction which we possess as a Court of Oyer and Terminer.

The civil jurisdiction is not more accurately defined ; and, as instance of the difficulties in which we are placed, I could only refer to words of constant occurrence in all the Charters and Acts of Parliament relating to this country, namely, "*British subjects*," which are supposed to have a distinct and definite meaning, well understood by all who have been concerned in the administration of justice in the Supreme Courts of India. That the meaning is not so clearly ascertained, but is involved in great obscurity and perplexity, I need only refer to the statements in the letter to which I before alluded ; and, in further illustration, I would ask, are the King's subjects born in his other colonial possessions to be included within the term "*British subject*," so as to be liable to the Court's civil jurisdiction ?

That the term "*British subjects*" is strictly applicable to this class of persons, there can be no doubt. *Nemo potest exuere patriam* is a maxim of our law. The doctrine of allegiance is founded on a mutual compact between the Crown and the subject, and it cannot be dissolved by either without the concurrence of the other. Are this class of persons, when resident in the provinces, to be subject to the jurisdiction of the Court, because they are born in other territorial possessions of the Crown ; and are native Christians to be excluded ? "In what condition," says Sir Edward East, "are native Christians, if they be not British subjects ? They are native born, and cannot be debarred from colonizing in their native and only country. What is the law of inheritance, or succession, or marriage, out of the precincts of Calcutta ? Can the Hindoo or Mahomedan law be administered to them as Christians ? Under what law are the illegitimate children of British fathers to be governed ? What are the laws applicable to Portuguese, Armenian, and other native Christians in the Provinces ?" "That Christian Judges (Sir Charles Metcalfe observes) should try Hindoo prisoners according to Mahomedan law, seems sufficiently absurd ; but that Christian Judges of British blood should try Christians of British extraction by Mahomedan law, seems, if possible, still more strange."

It is true that the law and legislative Government of every dominion equally affects all persons and all property within its limits. Whoever purchases, lives or sues there, puts himself under the law of the place ; this rule is generally simple and plain in its application. The laws of a conquered country remain in full force until they are altered by the conqueror ; but the King has the power to alter the old laws and introduce new. What is the condition of the provinces in this respect ? That the British law has been introduced

introduced throughout all the territories of the Crown as regards British subjects is clear; but natives, from a peculiar signification which these words possess in this country *alone*, are held not to be within the meaning of that term. "Although" (as Sir Edward East observes) "in strictness of law all the native inhabitants within the Company's territories are subjects of his Majesty, and therefore, in an enlarged sense, might be considered to be '*British subjects*,' in like manner as a native of Ireland even before the Parliamentary Union was as much a British subject as a native of Great Britain; that is, they are native subjects of the British King and Crown, though under different administrations of Government, holding authority under the same Prince; and this, which could never have been seriously questioned after the supremacy of the King of Delhi became purely nominal, is now put beyond all doubt by the formal declaration of the Legislature, in the Act of the 53d Geo. III. c. 155, which asserts the undoubted sovereignty of the Crown over the Indian territories."

Do the old laws of the country, the Mahomedan and Hindoo codes, remain (modified and altered in some respects by the conquerors) applicable to all classes of persons, whether Christians or infidels, and every species of property within the limits of the King's dominions, except that particular class of subjects distinguished by the word "*British*?" or are those laws applicable only to that class of the King's subjects who are infidels, and are all Christian subjects of the King, not included in the term *British*, as well as foreigners and others residing in the provinces, to be governed by the law of England?

The difficulty arises from two systems of law being in force within the same dominions, and within the same parts of those dominions; otherwise the application of the general rule would be sufficiently simple.

If the old laws of the country remained unaltered, and the King had not introduced new laws, all persons within these dominions would be subject to the same system of laws, except where they were against the laws of God; and in cases where they were rejected on that account, or were altogether silent, the conquered country would be governed according to the rules of natural equity.

But the laws are altered, and a new system partially introduced; and the difficulty is to say, under which set of laws Christians, not being British subjects, according to the technical meaning of that word, are to be governed.

Upon questions of this nature, involved in the greatest obscurity, does the jurisdiction of the Court not unfrequently depend.

Other inconveniences are sufficiently obvious. The great extension of the British territories since the Charter of 1774, has given to the Court a range of jurisdiction which, at places remote from Calcutta, can only be considered a mockery of justice, if it be not the means of fraud and oppression. There can be no doubt, therefore, that difficulties and inconveniences are constantly arising from the undefined and uncertain state of the Court's jurisdiction, which are alike perplexing and harassing to the suitors, the Judges, and all who are concerned in the administration of justice.

## II.

The alterations in the judicial system of India which a free admission of Europeans would render necessary.

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If the views of the Governor-General and the Members of Council should be adopted by the authorities in England, and "it should be thought essential to the best interests of England and of India, that an increased facility should be given to Europeans to settle in the interior, and to acquire landed property;" I entirely concur in the opinion expressed by Government, that "serious inconveniences must be experienced, unless the persons allowed to settle are made subject, with the rest of the inhabitants, to the authority of the local Courts." It cannot be presumed, in a country where the population is so dense, and the wages of labour so low, that if Europeans of all descriptions should be permitted freely to resort here, they will be able, under a tropical sun, to compete with the native labourer: all such experiments must fail. "A labouring class, who should attempt to settle, must perish." It is the free introduction of European capital and skill which the Government appear to think so desirable for cultivating the resources of India, and it does not seem probable that the settlers will for some time be numerous. "So far indeed" (Minute of Governor-General) "from fearing too great an influx of Europeans, I confess my apprehension is, that no encouragement we can hold out will induce them to resort to India in the number that seems to be desirable."

But although the numbers who may resort here may not be great, the capital that may be invested in commercial and agricultural speculations may be large, and scattered over a vast extent of territory. To leave the European owner or occupier of lands, or the manufacturer, at great distances from Calcutta, amenable only to the jurisdiction of the Supreme Court, or subject only to the Mofussil Courts, with the limited powers which they at present possess, would tend to such a system of fraud and injustice, and leave the natives so entirely at the mercy of the settlers, that I think it would be an insuperable obstacle to the allowing of Europeans to settle in the interior. I am therefore satisfied that all persons in the interior of the country must be subject to the Courts of the district which they inhabit; but the more difficult question remains, as to what is to be the nature and constitution of the Court to which they are to be subject, and the laws by which they are to be governed? I cannot help thinking the introduction of colonization will render necessary a total change in the whole judicial system of India, both as regards the King's and Company's Courts, and the laws which are administered in them.

It would be presumptuous in me to offer to the notice of Government any views of my own upon so wide and difficult a subject, and upon which there appears to be such a contrariety of opinion, even amongst those who, from long experience and an intimate knowledge of the interior of the country, and the manners and habits of the natives, seem best fitted to suggest the course which such a new state of things would render necessary. Many are the questions to which the proposed change must necessarily give rise.

Would it be desirable, as the Governor-General suggests, "that the Supreme Court, instead of standing, as now, isolated from the Government and from the local tribunals, should be rendered a component part of our judicial establishment, the whole being remodelled into one harmonious system?" If the Provincial Courts are to determine all civil and criminal suits between all the inhabitants of the particular district for which the Court is instituted, it would seem desirable that there should be one Supreme Court (something analogous to the King's Bench in England), superintending and controlling all

all the tribunals of the country. Sir Charles Metcalfe suggests, that in such a case the Sudder Dewanny and Nizamut Adawlut might be abolished, and his Majesty's Supreme Court, at each Presidency, made the highest Court in civil and criminal jurisdiction for all the territories subject to such Presidency. Other suggestions are made by Sir Charles Metcalfe as to the jurisdiction this Court should possess, the persons from whom the Judges should be selected, and the laws by which the different classes of persons subject to it should be governed. Although I refrain from offering suggestions of my own, I may be permitted to express my general assent to the views of Sir Charles Metcalfe, whose great experience and knowledge of all that relates to the government of India give so much weight and importance to any opinion he may have formed.

Would it be desirable to consolidate the English, Hindoo and Mahomedan laws now in force in India, and form one general code, by which all classes of persons in India should be governed? In the letter of Government it is said that the criminal law, as administered by the Nizamut Adawlut and the subordinate Courts in the interior of the country, retains but little of the Mahomedan code, whether in respect to the laws of evidence or as to the punishment annexed to offences. After the application of Mahomedan law to a Hindoo population, and the changes to which this law has been subjected by the regulations of Government, it can hardly be contended that any jealousy on the part of the natives to our further interference, is to be apprehended. There are too many instances in which the customs and prejudices of the Hindoos have been superseded and abrogated by the regulations of Government, to leave any doubt that any alteration in the criminal law would be quietly submitted to. Would it be difficult, therefore, to introduce a code of criminal law applicable to all persons; and might not the same course be adopted as to their civil rights, securing to the natives their own peculiar law and usages?

"The only objection that strikes me (Sir Charles Metcalfe's Minute of the 19th of February 1829) to the spread of a British Christian population in India, is the existing discordance of the laws by which our English and our native subjects are respectively governed; this objection will no doubt in time be removed, and the sooner the better, by forming laws equally binding on both parties in all concerns common to both, and leaving to all their suitable laws in whatever peculiarly concerns themselves alone."

Are British subjects, when amenable to the Provincial Courts, to retain the right of trial by jury in criminal cases?

Mr. Holt Mackenzie states, that it would not be very difficult to constitute a jury of four or five persons in each of the principal towns (Meerut, Delhi, Agra, Furruckabad, Bareilly, Allahabad, Benares, Patna, Moorshedabad, Dacca, Chittagong); and Mr. Bayley seems to think, that a jury of Christians of this number might be assembled at those places, though not always Englishmen. It is of course obvious, that if the necessity for juries in the interior arises from the increase of British settlers, that the supply will in a great measure accompany the demand; and, according to Mr. Hogg's statement, there would not now be any difficulty in assembling a full jury of Christians at any of the principal towns mentioned by Mr. Holt Mackenzie. But supposing British subjects to retain their right of trial by jury in all criminal cases, and a code of criminal laws be framed applicable to all classes of persons; is the form of trial of the Hindoo or Mahomedan

medan to differ in this respect from the christian subjects of the king? I am aware that this is a subject that has of late undergone much discussion, and upon which there is a great contrariety of opinion. The experiment has certainly been successfully tried at Ceylon, as also has the formation of a code of laws; but whether or not the circumstances of the two countries are so totally unlike as to form no ground for its adoption here, I will not take upon myself to say. This question must necessarily press itself upon the attention of those who may have to re-model the courts of this country upon a free admission of Europeans. On every consideration, it would seem desirable to place *all* classes of his Majesty's subjects in his Indian territories as far as possible under the same laws, amenable to the same tribunals, and to the same forms of trial.

I have alluded only to a few of the questions that must arise, but many hardly less important seem to remain. Is it desirable to introduce the English language into the judicial proceedings of the Provincial Courts, and gradually to abolish the Persian? Ought the principal Judges of those Courts to be selected from regularly educated lawyers? Are European settlers and British subjects to be amenable to Courts of which natives are the Judges? Would it be desirable to employ European settlers, as well as the Company's servants, as Magistrates and Judges; and might it not be a condition of their settlement that they should gratuitously fill those offices, if required by the Government? Is it desirable to diminish the different stages of appeal through which a cause may now be carried? Would it be desirable to have one Supreme Court in India, to which there might be an ultimate appeal, and that the appeal now allowed to the King in Council should no longer exist? Upon all these points and other alterations which would be consequent upon them, various opinions have been expressed, and the best informed and most intelligent writers have been at variance with each other. I advert to them without expressing any opinion of my own, because I am satisfied that they must all be duly considered if there is to be "a change by which the judicature of India, instead of being divided into separate and independent jurisdictions, is to be amalgamated into one."

Of the expediency and necessity of enlarging the legislative powers of Government:

1. Fully admitting the "defectiveness of the existing law, as applicable to the state of things for which it was meant to provide," and conceiving that it may be necessary to deliberate on the means of correcting past omissions, I still think the providing for the exigencies of the future by far the most important consideration.

It can hardly be presumed that the strong representations of this Government will not have their due weight with the authorities at home, and that "the existence of restrictions which impede the prosperity (Sir Charles Metcalfe's Minute of the 19th of February 1829) of our Indian empire," will not be removed if such a change takes place, and it is thought necessary to remodel the whole judicial system of India. By what authority is this principally to be effected? There are but two distinct authorities to whom any alteration or review of the judicial system could be submitted; either the British Parliament, or a local legislative body to whom the Parliament may have delegated its authority.

It would certainly be overlooking all past experience to hope that the many and intricate questions that will arise if the proposed changes are carried into effect, can be

be provided against by any parliamentary enactments. Parliament would be constantly called upon to remedy defects arising from legislating at such a distance, for a people whose habits and manners are so imperfectly understood, while "the delay which must attend a reference to England for the purpose of removing such doubts, or of reconciling the obligations of the law to the exigencies of the State, might be attended with the most afflicting consequences." The utter impossibility of making laws in England for the millions who inhabit the King's territories in India, must have induced the Parliament to recognize and sanction the vast legislative powers which the Government of this Presidency had assumed without its express authority.

Subject only to the limitations and restriction of the 21st of Geo. III. c. 70, s. 23, and the 37th of Geo. III. c. 112, s. 7, the Company's Government have the power of legislating for all the population of this Presidency, except the inhabitants of Calcutta and the British inhabitants of the provinces. The 13th of Geo. III. c. 63, gave the Government and the Supreme Court a restricted and limited power of legislating for the inhabitants of Calcutta; and as to British inhabitants of the provinces, the legislative powers of Government are restricted to the imposing of taxes with the assent of the Court of Directors and the Board of Commissioners, under the provisions of the 53d of Geo. III. c. 155. The 36th clause of the 13th of Geo. III. c. 63, provides, "that it shall be lawful for the Governor-General and Council at Fort William, from time to time to make such *rules, ordinances and regulations*, for the good order and civil government of the settlement and other places, &c. subordinate thereto, as shall be deemed just and reasonable (such rules, &c. *not being repugnant to the laws of the realm*), and set, impose, inflict and levy reasonable *finés and forfeitures* for the breach or non-observance of such rules, &c.; but the same, or any of them, shall not be valid unless duly registered and published in the Supreme Court, *with the consent and approbation of the said Court*." And then it specifies the mode and time of registry, and gives an appeal to the King in Council, making, however, the law valid in the mean time after its registry.

"By the statute 39 and 40 Geo. III. a further power was given to enforce such rules, &c. by corporeal punishment, that is, by public or private whipping or otherwise; and the statute 53 Geo. III. c. 155, s. 66, requires copies of those rules, &c. to be laid before Parliament."

The Judges of the King's Courts in India have varied in their construction of these clauses, and in their notions of the power which they confer on the local Government and the Court. The ingenious arguments of the counsel on the appeal of Mr. Buckingham against the Press Regulation, show the difficulty of giving any precise interpretation to the words, "contrary to the laws of this realm." Upon the best consideration I can give to the words of this statute, I am prepared to adopt the construction which Sir Edward East has given to them: "But looking first to the terms, *rules, ordinances and regulations*, used in the granting part, which rather convey the notion of a power to carry into effect, by local and subordinate means and measures, the substance and spirit of laws already given, than to originate new laws; shackled also, as the power is, by the express prohibition that those local rules, &c. shall not be *contrary to the laws of the realm*; a restriction very difficult to adapt to local circumstances, and almost irreconcilable with any plain departure from the general spirit of those laws, however

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proper in different circumstances ; and most of all, looking at the power given to sanction the observance of such local rules, &c. by *fines, forfeitures and corporeal punishments* : the only construction which could safely be put upon this local legislating power was, that it was to be confined to mere *police regulations* for preserving the peace, preventing and punishing nuisances, and the like, and was not to be extended to a general power of making original laws affecting the liberty or title to property of the inhabitants of Calcutta, including all descriptions, or even the laws, usages and customs of the native inhabitants, though a new law should be given by the local Government to affect the inhabitants of the provinces in the same respects."

If this be the right construction, the legislative powers vested in the several Governments as to the inhabitants of Calcutta, Madras and Bombay, appear to fall short in several respects of what the exigency of the case demands. Sir Edward East, conceiving this statute had not conferred on the Government and Court any sufficient power, proposed "to extend the power of legislation at present conferred upon the Governor-General in Council, with the consent of the Supreme Court, by enabling them to make general local laws (such as in fact the Governor-General and Council alone have been accustomed to make in the Mofussil), not merely confined to purposes of police, but extending to general objects, which would include laws affecting the native inhabitants." If this proposal had been adopted, the defective state of the law as regards the inhabitants of Calcutta might have been remedied ; but British inhabitants of the provinces would not have been affected by it. It is with reference to the inhabitants of Calcutta and British subjects in the provinces, that the necessity and expediency of enlarging the legislative powers of Government seems to arise, particularly with reference to those who may be allowed to hold land in the interior, and who, as a necessary consequence of such a measure, would not be removable at the pleasure of Government. Nor are the difficulties that have arisen as to the laws by which native Christians and foreigners of all descriptions are to be governed to be forgotten. If it had been proposed for the first time to give to the Government in this country the power of making laws for such extensive territories, it might have seemed very doubtful whether such a proposition would have been entertained by the British Parliament ; but when it is remembered that an almost unrestricted power of legislation has existed here for many years over the great mass of the people, and that a few thousands out of many millions have alone been exempted from this power, or subjected to it, only in a limited sense, it seems not very presumptuous to suppose that there can be no very substantial reason why these heretofore excepted classes of persons should not also be made amenable to the local Legislature of the country. I am disposed, therefore, to think that it is expedient to have in this country an authority legally competent to legislate for all classes and for all places.

2. The constitution of this Legislative Council is a question of some difficulty. It is proposed in the letter of Government, that "the Members of the Supreme Government, and the Judges of the Supreme Court of Calcutta, should be constituted a Legislative Council, with power to enact laws for the guidance of all Courts, whether established by the King or by the local Government, within the territories of the East-India Company, and for the regulation of the rights and obligations of all persons subject to their authority." It is also proposed that such laws should be registered in the Supreme Court, with the

same

same right of appeal to the King in Council as now exists against regulations made under the 13th Geo. III. The Judges in Court having administrative functions only ; and any argument against such laws to be heard, if at all, before the Supreme Council.

The necessity of the separation of the judicial from the executive and legislative powers in a State, is a well-known maxim, and in England is one of the main preservatives of the public liberty. If there existed in this country other elements for a Legislature than the union of the Judges of the King's Court with the Government, I should say, even here it would be most desirable not to depart from a principle of very general application, and founded upon the wisest and most enlarged views of political expediency and the constitution of human society. I admit that it is probable the Judges would be of some assistance to the Government in pointing out the legal effect and bearing of the various laws they might deem it expedient to pass ; but it might be a more doubtful question, whether either their knowledge or their previous habits of life would render them equally competent to express their opinions upon the expediency of the measures proposed. The question, too, of expediency must not unfrequently be mixed up with political considerations of great weight and moment ; and though it is not proposed that the Judges, and certainly it is most desirable that they should not, have any voice or opinion on matters purely political, it will still, in many cases, be very difficult to separate and distinguish the functions they are to perform.

It is true, that on regulations to be registered under the 13th of Geo. III., the Judges of the Supreme Court are now called upon to decide upon their expediency as well as their legality ; such is the construction which the late Sir Edward West, the present Chief Justice of this Court, and other Judges, with whom I entirely concur, have put on this clause ; and certainly the task at present imposed upon us is much more difficult, where the regulation is presented for registry without our having any previous knowledge of the reasons and grounds on which the Government have thought fit to propose it, than it could be if we were constitutionally enabled to know their views and objects. " Many laws (says Sir Edward West) are evidently expedient upon the face of them, and, from the known principles and propensities of human nature, require no specific proof that they are so ; others may not appear to be expedient upon the face of them, or from the known principles or propensities of human nature, but may be shown to be so by the evidence of particular facts and circumstances." It is impossible to separate the question of legality from that of expediency, or the Judges might be consulted by a Legislative Council, of which they were not constituent members, as the Judges in England are by the House of Lords, whenever they require their opinion on points of law. I am, however, induced to think that, from the mixed nature of the Government of this country, it is not likely, nor do I think it desirable, that the Company's Government should alone possess the power of legislating for all classes of the King's subjects in India.

It would seem that as to those places where the King has introduced the English law, and as to that class of persons who are denominated *British* subjects, no power of legislating is intended to be conferred on the Company's Government, except under the control of the Judges, who are appointed by the Crown, are unmixed with the Com-

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pany's civil servants, and in the selection of whom the Company has no voice. I think it improbable that the Crown, should the Government still remain with the Company, will relinquish this important check ; and as there are no other persons in this country who are exclusively the servants of the Crown, I do not see how, in the present state of things, it is possible to form a Legislative Council, with the powers which it is proposed to vest in it, without making the Judges a constituent part.

Under all these difficulties, I am disposed to concur in the sentiments expressed by Government, " that in the present circumstances of this country there are no elements for a Legislature, excepting the Government and his Majesty's Court ;" though I by no means think such an arrangement free from many and weighty objections.

3. I must confess I do not feel so much difficulty in considering the restrictions or limitations to which this body should be subject, as I do the persons of whom it should be composed. After the Government has been permitted for so many years to legislate for the mass of the people, reserving to the King in Council the power of disallowing or amending, within a limited time, the laws they frame, and directing them to be formed into a code, and translated into the languages of the country, I cannot see any objection to vesting powers of a similar nature in the new Legislative Council which it is proposed to institute, and which is to frame laws for all classes of his Majesty's subjects. I agree with Sir Edward East in thinking " the necessary exceptions to such an enlarged power would be, that no laws should be made contrary to the duty of allegiance, nor contrary to any express law made or to be made by Parliament, for the Government of British India ; and that the laws should be equal in all matters of common concern between native and British subjects, for the common good, without favour or disparagement to either." I conceive the Crown ought to retain the right of disallowing or amending, within a certain time, all laws which may be framed ; a power which it now possesses as to regulations made for the Provincial Courts, under the 23d section of the 21 Geo. III. c. 70 ; and as to regulations registered in the Supreme Court, of *disallowing* only, under the 37th section of the 13 Geo. III. c. 63. The laws, I conceive, should take effect as soon as passed by the local Legislature, subject to being afterwards disallowed or amended. Copies of these laws should be annually laid before both Houses of Parliament ; a course which the statute of the 53 Geo. III. c. 155, s. 16, has directed as to all the regulations at present made by the several Governments in India. I should, in addition to this, think it most desirable that all proposed laws should be openly published for a certain fixed time before they could be passed, in order that all persons, supposing themselves aggrieved, should have an opportunity of stating, at least by petition or memorial, if not by argument, their objections, before the law was carried into effect. It has been the uniform practice of the Supreme Court to hear the inhabitants of Calcutta by means of their advocates, against the registry of regulations made by the Governor-General in Council.

By the construction which I am disposed to put on the 36th section of the 13th Geo. III. c. 63, I think the parties affected by any regulation have a right to be heard against its registry ; and though I am aware that, upon the strict question of right, some of my learned brethren have formed a different opinion, yet all the Judges appear to be agreed " that it would be a wrong and capricious exercise of power to preclude a previous

vious discussion of a matter which is subjected to appeal." I also think all persons aggrieved by any laws made by the local Legislature should have a right to appeal to the King in Council; a right which exists at present as to regulations affecting the inhabitants of Calcutta, but not as against regulations passed by the Governor-General in Council for the provinces.

It is suggested by Mr. Holt Mackenzie that a veto should be allowed to the Governor-General in the Legislative Council. The 33d Geo. III. c. 52, s. 51, provides that the Governor-General shall not make, repeal or suspend, against the opinion or concurrence of his counsellors, any general rule, order or regulation, for the good order and civil government of the United Company's settlements, or impose of his own authority any tax or duty within the Presidency. The same provisions would of course be extended to the proposed Legislative Council: and if the Governor-General was allowed to have a veto against any laws which had been approved of by the majority of such Council, from the necessity there is of vesting in him a discretionary power to act according to his own opinion in cases of high importance and essentially affecting the public welfare, it would seem, on the other hand, expedient that the Judges should, in cases where the proposed enactment was in their unanimous judgment a direct infringement of some well-acknowledged rights of the Crown, or contrary to some express law made by the Parliament for the government of British India (if not allowed to possess a veto), be at liberty to protest against the act of the majority; the effect of which protest should be the suspension of the law until the King in Council, to whom the matter should instantly be referred, should have decided upon the legality of the proposed measure. Unless some such check as this is vested in the Judges, they would be in the painful situation of being called upon to enforce and carry into effect laws which they were satisfied the Legislative Council had not the power to impose.

I have stated at some length, and I am aware very imperfectly, some of the considerations to which the letter we have had the honour to receive appears to me to lead.

Upon many of the topics upon which I have ventured to touch, I should not have presumed to have offered any opinion of my own, satisfied that it is my duty to assist in administering the laws to the best of my ability, as they are, and not to suggest alterations, had I not conceived the questions proposed by Government necessarily called for such explanations. Whatever may be the course which Parliament in its wisdom may deem proper to adopt, I can only express my cordial desire at all times to assist, as far as I am able, in all measures that may appear calculated to improve and ameliorate the administration of justice in India.

I have, &c.

(Signed) EDWARD RYAN.

MINUTE by Lord W. C. Bentinck, Governor-General; dated 10th Oct. 1829.

THE Judges of the Supreme Court agreeing with the Government on most of the essential points, little remains for consideration here but the particular arrangements by which what is proposed may best be carried into effect.

The detailed exposition given by Sir Charles Grey of the circumstances under which the Court has hitherto acted, able and excellent in every respect, is particularly valuable, as exhibiting in the strongest light (if we may at all argue from the past to the future) the utter hopelessness of setting or keeping things right through the operation of Acts of Parliament passed at home; and the principle advocated by him, of maintaining the complete subordination of the local Legislature to the Parliament, will equally, I imagine, be recognized as one of undeniable necessity.

The measures\* which he suggests for practically enforcing this principle, appear to be well calculated to secure that and other objects of importance, *viz.* the early and punctual transmission to England of all laws passed in this country, and the periodical incorporation of them into a digested code.

And the conditions† by which it is proposed to limit the powers of the local Legislature, corresponding in substance with most of those suggested by Sir E. H. East, seem to be unobjectionable. The proviso, which is peculiar to the latter, that the law shall be equal to all classes, in matters of common concern, had better, I should think, be omitted, chiefly because it is one of those generalities of which the particular effects cannot be immediately anticipated, and also because it seems to imply a suspicion of injustice, scarcely consistent with the delegation of powers such as are proposed to be given.

With respect to the constitution of the proposed Legislative Council, there is greater room for doubt. If, as appears to be admitted, every notion of representation must, for the present at least, be relinquished, it may, I think, be questioned, whether the choice  
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\* It should be provided (Sir Charles Grey suggests) that every act of an Indian Legislative Council should, within one month, be sent to the Court of Directors and the Board of Commissioners; and that, in the next session after the receipt of it in England, it should be laid before Parliament: and that the Court and the Board should have the power of repealing it within one year from the time of its having been made, but with a proviso, that all persons should be saved harmless for any acts done under the regulation before notice of its repeal should have been given in some specified manner; and further, that the Indian Council should, once in seven, ten, fourteen or twenty years, form into one body of law, and submit to the Parliament, the whole of the existing regulations, in order that they might be sanctioned or amended.

† These are as follow: The Legislative Council shall not make any ordinance inconsistent with any Act of the Imperial Parliament applying to India: It shall not alter any part of the unwritten law of the British constitution, on which depends the relations of British India or its people with the United Kingdom: It shall not in any way vary the law of treason, or affect any rights of the Crown, or of the Parliament, or those which may be derived by any foreign State from treaties entered into by them with the British Crown.

The exceptions proposed by Sir E. East are, that no laws should be made contrary to the duty of allegiance, nor contrary to any express law made or to be made by Parliament for the government of British India; and that the laws should be equal in all matters of common concern between native and British subjects for the common good, without favour or disparagement to either.

of legislators should go beyond the Members of the Supreme Council and the Judges of the Supreme Court. I cannot think it would be right to bring into such an assembly the chief minister of the Christian church. There seem to be many reasons to be urged against such an arrangement in India, which it is unnecessary to particularize. The information as to the Hindoo and Mahomedan codes, with a view to which it is proposed to appoint one or more civil servants learned in those laws, may probably be as well obtained, when required, by other means, unless the Supreme Court, as is proposed by Sir Charles Grey, should be composed partly of Judges appointed by the Crown, and partly of judicial servants of the Company; so likewise I should think that, with caution and publicity in the proceedings of the Legislative Council, the interests of the British merchants will be effectually secured; and except we could adopt the principle of representation, which seems out of the question, it would not, I think, add to the weight of the Council, or the confidence of the public, to associate an individual or subordinate functionary with the Members of Government and the Judges of the Supreme Court. It should be remembered that its laws are designed to have effect at all the Presidencies. If any addition were made to the existing established authorities, which I consider for the present to be inexpedient, I should infinitely prefer native gentlemen, whose rank in society and great wealth seem to entitle them to the distinction; while the Council itself would derive from their knowledge of the character, manners and feelings of the natives, that information which the most experienced Europeans so imperfectly possess.

On the whole, therefore, it would, I conceive, be right to constitute the Council as proposed in the letter of the 14th of July.

A veto, it is agreed, shall belong to the Governor-General; and the limitation of the power of the Council being rendered specific (the vague words "repugnant to the laws of the realm" must be carefully avoided), it would seem to be unobjectionable and proper to allow the Judges the power of suspending any enactment which might appear to them to be incompatible with the laws they are bound to administer. It is a fundamental principle of the arrangement proposed by Government that the Acts of the Legislative Council shall extend to all places, and to all descriptions of persons.

Provision should of course be made for the due publication of all proposed laws, and parties interested in opposing them should have full opportunity of stating their objections, either by petition or by argument, authority being also reserved to the Governor-General in Council of appointing committees or commissioners specially to inquire into and report upon all matters necessary to a just determination on the expediency of any law.

The promulgation of laws subsequent to their enactment must also of course be fully provided for.

As to the formation of a general code for British India, with such special provisions as local peculiarities render unavoidable, and the gradual adoption of one consistent system for the administration of justice in all parts of the country, the remarks of Sir Charles Grey appear to be generally just, though he perhaps overrates the advantages to be derived from the services of English lawyers, unless where those of superior men can be secured. But these are objects to be attained only in course of time, through the operation of laws to be adopted, after careful consideration of each, by the proposed Legislative Council.

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LEGISLATIVE  
COUNCILS,  
&c.

—  
Governor-  
General's  
Minute.

Even the general principles, how far the rules of English laws and process shall be maintained, or a simpler system adopted, stripped of its technicalities, shall be substituted; to what extent the English language shall be allowed or enjoined; whether Englishmen shall be permitted to claim any and what special distinctions as to the form of trial, or the tribunal to which they are to be subject, and especially in what cases and within what tracts trial by jury shall be introduced; would require separate and deliberate consideration: and the peculiarities of every province; the expediency of having local rules, distinct from, though of course subordinate to, all general laws; the means of recording and maintaining local usages, where proper to be maintained; these and various other points must be discussed before we can attempt to lay down a general scheme for the better administration of justice throughout the wide regions that will be subject to the proposed Legislative Council.

The necessity of a Legislative Council having been thus established, it would seem right that we should request the aid of the Judges in preparing a scheme for the execution of the measure, to be submitted for the approval of the home authorities.

In the event of the proposition for a Legislative Council not receiving the sanction of Government or of Parliament, it would be desirable that we should now provide for that contingency, by requesting the Judges to suggest, for our concurrence, such alterations in the present Acts as may correct the inconsistencies, and may remedy the inconveniences, which have been so fully detailed in the various communications upon the present subject. It would seem impossible for the home authorities, as experience has hitherto abundantly proved, to furnish the details which a plan of so extensive a nature must require.

(Signed) W. C. BENTINCK.

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No. 24.

LETTER from the Governor-General in Council to the Hon. Sir Charles E. Grey, Knight, the Hon. Sir John Franks, Knight, and the Hon. Sir Edward Ryan, Knight, Judges of the Supreme Court of Judicature at Fort William.

HONOURABLE SIRS :

Fort William, 20 October 1829.

Governor-General  
in Council  
to Judges of  
Supreme Court.

We have the honour to acknowledge the receipt of your letter of the 2d instant, and of the several papers which accompanied it; and entertaining the strongest sense of obligation to you for the manner in which you have met the wishes expressed in our letter of the 14th of July, we venture confidently to solicit your further aid in the prosecution of those measures which, after an attentive consideration of the important facts, observations and suggestions contained in the documents now acknowledged, it appears to us expedient and necessary to adopt.

To the able exposition which you have made of the circumstances that affect the constitution, and of the principles that have regulated the proceedings of his Majesty's Courts, we shall not venture further to advert than by remarking how strongly the detail given, of the difficulties and embarrassments incidental to the discharge of their functions, appears

appears to confirm the persuasion, under which we recently addressed you, of the necessity of constituting a local Legislature with enlarged powers. On that fundamental point, it is highly satisfactory to us to find that there exists a complete concurrence of opinion. It remains only therefore to consider the particular arrangements by which what is proposed can best be carried into effect. First, as to the constitution of the Legislative Council: It appears to be generally agreed, that all notion of representation must, for the present at least, be relinquished; and the case being so, it seems to us, after the fullest consideration of the subject, that the Council should consist of the Members of the Supreme Government, and the Judges of the Supreme Court of this Presidency. If, as has been suggested by the Chief Justice, the judicial servants of the Company shall be hereafter admitted to that Court, we should not of course propose to exclude the officers so distinguished from a share in the Legislature. But as things are now constituted, it would not, we are of opinion, add to the weight of the Legislative Council, or to the confidence of the public in its wisdom and justice, to associate any subordinate functionary with the Members of Government and his Majesty's Judges; more especially when we advert to the other Presidencies, to which also the powers of the Council must, we are of opinion, be made to extend. Similar considerations occur to us as opposed to the appointment of any individual, so long as the principle of representation shall be inapplicable to the circumstances of the country. We readily indeed admit that an accession of much valuable information might be obtained by constituting the Legislative Council on a wider basis; but the advantage of having within itself such an extent and variety of information, as may obviate the necessity of frequent inquiry, appears to be unattainable. On questions touching the laws and usages of our native subjects, the Council must, we think, depend chiefly on the result of inquiries more extensive and minute than any one or two individuals could be expected to satisfy. It will always of course be able to command the services of any public functionary, from whom it may require an exposition of any matters with which he may be especially conversant: and with the caution and publicity of proceeding, on which you have justly laid stress, we trust that, excepting from causes inseparably connected with our position in the country, there will be little danger of its remaining in ignorance of any particulars, the knowledge of which may be necessary to secure an equal attention to the interests and just claims of every class of our subjects. Several reasons occur to us against the measure of bringing into such an assembly the chief minister of the Christian church, on which we shall not now enlarge. But though it is in our judgment expedient that, for the present at least, the Legislative Council should be constituted as proposed in our letter of the 14th of July, we would not be understood as objecting to the enactment of a provision which shall leave to his Majesty a greater latitude of selection, if Parliament shall in its wisdom see fit to provide for a change of circumstances.

We have great satisfaction in stating our general concurrence in the principles according to which it is proposed, in Sir Charles Grey's Minute, to limit the powers of the Legislative Council, to maintain its complete subordination to Parliament, to secure a due publicity in its proceedings, to ensure a hearing to all parties interested in opposing any proposed enactment, to enforce the fullest possible promulgation of all laws passed by it, and to provide for their periodical consolidation.

## 1192 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c.

Governor-General  
in Council  
to Judges of  
Supreme Court.

We likewise fully concur with you in thinking that, besides reserving a veto to the Governor-General (the restriction contained in the 33 Geo. III. c. 52, s. 51, should also of course be maintained), it will be entirely proper that the Judges of the Supreme Court, or a majority of them, should have the power of suspending the enforcement of any Act of the Legislative Council which they may consider to be illegal.

Having thus explained to you the views which we entertain in regard to the constitution of the proposed Legislative Council, little differing, we are happy to observe, from those which you suggest, we trust we may be permitted to request that you will have the goodness to prepare the draft of a bill for the execution of the measure, to be submitted for the approval of the home authorities.

Strongly as we are impressed with the indispensable necessity of constituting a local Legislature, as proposed, we consider it proper to provide for the contingency of the proposition not receiving the sanction of Government or of Parliament; and we shall consequently be greatly obliged by your suggesting, for our concurrence, such alterations in and additions to the present Acts applicable to India, as it may appear to you expedient to make, with the view of correcting the inconsistencies and remedying the inconveniences which have been so fully detailed in the papers now under consideration, as far as that object can be attained through the direct intervention of Parliament.

It will likewise be highly satisfactory to us to receive from you a full communication of your views and sentiments, in regard to the measures by which the administration of justice to all classes of persons throughout the British territories may be gradually provided for, on a regular and consistent system, with such special provisions only as local peculiarities may render unavoidable.

But it is not, of course, our intention that the preparation and transmission of the draft above mentioned should be delayed until the details, which each of the latter propositions must involve, can be furnished.

We beg to add, that we shall instruct the Secretaries to Government to afford immediate attention to any request for information which the Judges may be desirous of obtaining from the records of Government.

We have, &c.

(Signed) W. C. BENTINCK.  
C. T. METCALFE.

True copies :

(Signed) HOLT MACKENZIE,  
Secretary to Government.

No. 25.

(No. 4 of 1830.)—(Territorial Department.)

LEGISLATIVE  
COUNCILS,  
&c

Governor-General  
in Council  
to Court of  
Directors.

LETTER from the Governor-General in Council to the Court of Directors,  
&c. &c. &c.

HONOURABLE SIRS :

Fort William, 14th October 1830.

Your Honourable Court is aware, from the documents which accompanied our Secretary's Letter under date the 20th of October last, that we have for some time been in communication with the Judges of the Supreme Court, on the subject of the measures to be taken for the amendment of the laws applicable to the different classes of persons resident within the British territories, and for the establishment of such a judiciary system as might ensure their prompt and just administration, with reference especially to the circumstances incident to the more extended settlement of British-born subjects, with permission to hold land. We have now the honour of transmitting to you, as numbers in the packet, copies of the papers noted in the margin,\* in continuation of those which were forwarded to you on the above date.

2. We beg permission to call your early and particular attention to the draft of a bill (as finally amended) and the papers immediately relating to it (Nos. 2, 3, and 4), and to submit our recommendation that the necessary measures may be taken to obtain the enactment, by the British Legislature, of a law corresponding with that draft, with any modifications or additions that may appear to be necessary or expedient. The grounds on which we consider such a law to be urgently and indispensably required, and the considerations which have influenced us in the adoption of its several clauses, are so fully explained in our correspondence with the Supreme Court, that it must be superfluous to enlarge upon the subject in this place. It may be sufficient to state that, in our judgment, the members of the Legislative Council should not, in the first instance at least, be numerous. It may eventually be proper to enlarge it; and the number to be inserted in the bill, which in the draft is left blank, your Honourable Court will best be able to determine. Besides the Members of the Supreme Council, and the Judges of the Supreme Court, we are not prepared to hazard an opinion as to what individuals should be admitted into the Legislative Council, or from what classes and on what principles, the selections should be made. These indeed are points which, we think, should be left exclusively to the decision of the home authorities.

3. We shall only add, that we hardly consider necessary the precautionary measure adverted to in the concluding paragraph of the Judges' letter, dated the 13th instant.

4. A copy of any reply which we may receive to the letter we addressed to the Judges  
on

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- \* Letter from the Judges of the Supreme Court, dated the 13th September 1830, with four Enclosures.
  - Ditto to ditto, dated 28th September 1830, with its Enclosures.
  - Ditto to ditto, dated 9th October 1830.
  - Ditto from ditto, dated 7th October 1830.
  - Ditto to ditto, dated 11th October 1830, with its Enclosure.
  - Ditto from ditto, dated 13th October 1830, with its Enclosure.



# 1194 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c.

Governor-General  
in Council  
to Court of  
Directors.

on the 11th instant, on the subject of the Enclosures 2, 3, and 4 of their letter dated the 13th ultimo, will be forwarded to your Honourable Court with all practicable dispatch.

We have the honour to be, &c. &c.  
(Signed)

W. BENTINCK.  
W. B. BAYLEY.  
C. T. METCALFE.

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(Fort William.—Revenue Department.)

ABSTRACT of Revenue Letter, No. 4, of 1830, addressed to the Honourable Court of Directors, dated the 14th October 1830.

Forwarding with reference to Papers transmitted on the 20th October 1829, copy of Correspondence with the Judges of the Supreme Court of Judicature of Fort William, in Bengal, relative to the institution of Legislative Councils, the establishment of a judiciary system, and the formation of a code of laws for the British territories in the East-Indies.

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

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No. 26.

LETTER from the Judges of the Supreme Court to the Governor-General in Council; submitting Papers relative to the institution of Legislative Councils, the formation of a Code, and the establishment of a System of Courts.

Calcutta, 13th September 1830.

RIGHT HONOURABLE LORD AND HONOURABLE SIRS :

Judges of  
Supreme Court  
to Governor-Gen.  
in Council.

We have given from the first all the attention in our power to the subjects mentioned in the letter which you addressed to us on the 20th of October last, and having had the benefit of conferring personally with you upon some occasions, we now submit to your consideration the accompanying papers, viz. No. 1, intituled "Heads of a Bill, to be intitled an Act for establishing Legislative Councils in the East-Indies." This you are aware is not a paper of our own, but one which, with the assent of us all, though not with an absolute unanimity as to minor points, was arranged at the conferences to which you did us the honour of admitting us. No. 2, intituled, "Some observations on the suggestion of the Governor-General in Council, as to the formation of a code of laws for the British territories in the East-Indies." No. 3, "Outline of a system of Courts for the British territories in the East-Indies."

You have signified your wish that specific provisions for the last object should be annexed

annexed to those which relate to the establishment of Legislative Councils, and which have been reduced into the form of a bill; but perhaps the papers Nos. 2 and 3 will indicate sufficiently both the outline of the arrangements which would occur to us, if any extensive alteration in the system of Courts should be made, and the difficulties which prevent us at present from reducing our notions upon the subject into the form of a bill. Without knowing better than we do the views of his Majesty's Ministers, and of the Court of Directors, we can form but very uncertain conjectures of what is practicable, or at least of what would be adapted to the ground-work on which it may be intended to re-establish the Government of India.

As long as the East-India Company may continue not only to have that right of perpetuity which is annexed to its character of a trading corporation, but actually to carry on trade, it will probably be thought that there must be some Courts in India, not only of appellate, but of original jurisdiction, of which the Judges shall be appointed immediately by the Crown, if for no other reason, yet for this at least, that the Company may sue and be sued in their commercial capacity, before some tribunals not constituted by themselves, nor consisting merely of their own civil servants, whom the most perfect integrity never can exempt from the impression, that they are too dependent on the Company to act as Judges in questions between them and other British persons; but if the Company should ever cease to trade, or even if that separation of their proceedings in their commercial from those in their political capacity, which, to a certain extent, was provided for by the 53 Geo. III. c. 155, should now be carried further and completed; one objection, at least, against all the Courts of original jurisdiction being put upon the footing of Company's Courts, might be removed.

A general admission of British persons into the provinces, or any parts of them, with the right of holding lands in fee, would present a state of circumstances requiring in the arrangements of Courts of Justice some different provisions from those which would be suitable to a system, founded upon a prohibition of the intercourse of British persons with the interior of the country. These and several other undecided and doubtful points, of the gravest importance as matters of state policy, and to which, as to the foundation on which it would rest any bill for the general administration of justice must be accommodated, prevent us from offering anything more than mere suggestions as to the formation of any code of law and system of Courts. We are prepared, however, to say, that there is no arrangement which we are able to anticipate, in which it does not seem to us that it would be desirable there should be a Legislative Council for India, or one for each Presidency, subordinate to the Imperial Parliament; and in like manner one Court for India, or one for each Presidency, of intermediate appeal between the superior Courts of this country and his Majesty in Council, or the House of Lords; and that of these Legislative Councils and Courts of Appeal, a majority of the Members and Judges should be appointed immediately by the Crown, we should say indeed that the whole ought to be so appointed, but that a portion of them should be selected by the Ministers of the Crown from amongst the Company's servants; and it might perhaps be thought more regular to establish any such Courts of Appeal by Letters Patent of the Crown, issued under the authority of an Act of Parliament, rather than by Act of Parliament alone. Whether such Legislative Councils and Supreme Courts of Appeal could

LEGISLATIVE  
COUNCILS,  
&c.

Judges of  
Supreme Court  
to Governor-Gen.  
in Council.

LEGISLATIVE  
COUNCILS,  
&c.

Judges of  
Supreme Court  
to Governor-Gen.  
in Council.

could at present, and all at once, be brought into active and effectual operation for all India, is perhaps more than doubtful, and our own inclination of opinion would be to attempt to give them effect within some one limited district, with a liberty at the same time to the Governor-General in Council to make use of them for the rest of the territories in cases in which they could be employed for that purpose with advantage. Our views of this matter are stated in the draft of a letter which we are about to send in reply to one received by us from the Secretary of the Board of Commissioners for the Affairs of India. Of this draft, we take the liberty of enclosing a copy, marked No. 4, and if any objection should be felt by the Governor-General in Council against any statements in it, we would willingly re-consider them, and make any corrections which may be desirable with the least possible delay.

It has been with unfeigned reluctance indeed, and some apprehension of giving offence, that we have spoken as plainly as we have done upon several points both in that letter and in the other papers which are now submitted to you ; but upon a subject respecting which, from its extent and intricacy, all opinions are so liable to be misunderstood, those which are stated otherwise than plainly and fully may serve for much mischief, but can scarcely do any good. We beg leave to assure you, in all sincerity, of our desire to render any assistance of which we may be thought capable, upon this occasion of the re-establishment by Parliament of the Government of the British territories in India. In so vast an affair it is impossible that any persons can act together unless there be a willingness on all sides to make some sacrifices of opinion ; and of the greater part of what we have taken the liberty to suggest, we hope it will be understood that it is intended as nothing more than suggestion, and that it is susceptible of various modifications. The only principles which we are desirous should be considered as fixed, are such as we are confident all of us are fully agreed upon, namely, that all the Indian territories which constitute the three Presidencies are dominions of the Crown of the United Kingdom, though with all such conditions annexed as have been stipulated in any treaties or agreements made at the time of the acquisition of the territories ; that Parliament has an unquestionable right of legislating for the whole of the Indian dominions of the Crown, notwithstanding that certain powers of legislation have been and may hereafter be committed to others by Act of Parliament, or permitted to subsist in the hands of others as a remnant of the former institutions of the country ; and that although justice must in general be administered in India by Indian Courts, yet wherever circumstances will admit of a sufficiently regular frame of Government being established, the appeal or the last resort ought to be some Court or Courts of the United Kingdom, or some Courts in India, of which the Judges should be appointed immediately by the Crown.

We have the honour to be, &c.

(Signed) CHAS. EDW. GREY.  
EDWARD RYAN.

True copy :

(Signed) HOLT MACKENZIE,  
Sec. to the Government.

(Enclosure, No. 1.)

LEGISLATIVE  
COUNCILS,  
&c.

HEADS of a BILL to be intituled "An Act for establishing Legislative Councils in the East-Indies."

Papers submitted  
by Judges.

Heads of Bill.

1. WHEREAS the Civil and Military Government of the Presidencies of Fort William, Fort St. George and Bombay, in the East-Indies, subject to such superintendence, direction, controul and restrictions as for that purpose have been provided and established, is entrusted to the Governor-General in Council and the Governors in Council of the said Presidencies, and also the ordering, management and government of all the territorial acquisitions and revenues therein: And whereas the said Governor-General in Council and Governors in Council have been authorized and empowered by several Acts of Parliament to make rules, ordinances, regulations and laws, as well for the imposition of duties and taxes as for divers other purposes; and it hath been enacted, that all regulations affecting the rights, persons or property of the natives, or of any other individuals who may be amenable to the Provincial Courts of Justice, shall be registered in the Judicial Department and formed into a regular code; and it hath also been provided, that the rules, ordinances and regulations made for the settlements at Fort William, Fort St. George and Bombay, and the factories and places subordinate thereto, shall be registered in the Supreme Courts of Judicature at the said settlements, with the consent and approbation of the said Courts; and further provisions have been made for the better enabling of his Majesty in Council in some cases to disallow or repeal, and in others to amend, such rules, ordinances or laws: And whereas it is necessary that a power should at all times be vested in some persons resident within the British territories in the East-Indies, of making regulations and laws for all the territories and people there under British Government: And whereas the several Acts of Parliament which have heretofore been passed for that purpose have been found to be in some respects imperfect and inconvenient, and it is expedient that more full, certain and effectual provisions should be established instead of them; be it therefore enacted, that so much of an Act, intituled, &c.

13 Geo. III. c. 63, s. 36, 37.

21 Geo. III. c. 70, s. 23.

37 Geo. III. c. 142, s. 8.

39 and 40 Geo. III. c. 79, ss. 11, 18, 19, 20.

47 Geo. III. sess. 2, c. 68, ss. 1, 2, 3.

53 Geo. III. c. 155, ss. 98, 99, 100.

and so much of every other Act heretofore passed as in any way relates to the making of any laws or regulations by the Governor-General in Council, or the Governors in Council of any of the said Presidencies, be, and the same are hereby repealed: Provided always, and be it further enacted, that nothing herein contained shall be construed so as to repeal any regulations heretofore made by any Governor-General in Council or Governor in Council; but all such regulations, until they be expressly repealed or altered by some competent authority, shall have the same force and effect as they would have had if this Act had not been passed.

LEGISLATIVE  
COUNCILS,  
&c

Papers submitted  
by Judges.

Heads of Bill.

2. And be it further enacted, That there shall be one Legislative Council within each of the said Presidencies of Fort William, Fort St. George and Bombay.

3. Each of the said Legislative Councils shall consist respectively of the Governor-General, or Governor of the Presidency for the time being, and of all other the Members of the Council of the Presidency, and of the Judges of the Supreme Court of Judicature of the Presidency, and of such other persons, not exceeding — in numbers, from time to time shall be appointed by his Majesty, his heirs or successors, or by the Directors of the East-India Company, by and with the approbation of his Majesty, his heirs or successors.

4. Each of the said Legislative Councils, or so many of the members thereof as shall be able to attend, shall meet and assemble from time to time at some convenient place, to be appointed by the Governor-General, Governor or Vice-President, within the towns of Calcutta, Madras and Bombay respectively, or in the neighbourhood, and within some convenient distance of the same, at such times and in such manner as such Governor-General, Governor or Vice-President, shall also direct; and it shall not be lawful for any of the said Legislative Councils to assemble in the capacity of a Legislative Council otherwise than is herein provided.

5. Each of the said Legislative Councils shall be capable of deliberating, resolving and acting in its capacity of a Legislative Council whenever three members thereof shall be lawfully assembled, provided that one of the three be either the Governor-General, Governor, Vice-President, or some other Member of the Council of the Presidency, and another be one of the Judges of the Supreme Court, but not otherwise, unless there should be no Judge then resident, or unless upon any urgent occasion there should be any refusal or wilful neglect of the Judges then resident at the place at which, or in the neighbourhood of which, any of the said Councils shall be held; in either of which cases, and after a Minute to that effect shall have been entered upon the proceedings of any such Legislative Council, and signed by the Governor-General, Governor or Vice-President for the time being, it shall be lawful for any three members of any such Council who may be assembled upon any such occasion to deliberate, resolve and act in all respects as a Legislative Council, in the same way as if one of the Judges had been present: And be it further enacted, that all the proceedings at any meeting of any such Legislative Council shall be conducted as nearly as possible in the same manner and form as the proceedings before the Governor-General in Council are by statute directed to be conducted, except that no Governor-General or Governor shall have any power of making any law or regulation, nor of deciding any question whatsoever which may arise in any such Legislative Council of his own sole authority: Provided always, and be it further enacted, that no law or regulation of any of the said three Legislative Councils shall be deemed or taken to have been finally resolved upon and established, nor shall have any force or effect whatsoever until the consent in writing of the Governor-General of Fort William in Bengal, shall have been first obtained and annexed thereto; and that no law or regulation of either of the Legislative Councils at Madras and Bombay shall have any force or effect until it shall have been confirmed by the Legislative Council of the Presidency of Fort William in Bengal, for which purpose, as soon as it shall have been fully resolved upon, it shall be sent to the Legislative Council of the Presidency of Fort William

William in Bengal ; and it is hereby further enacted, that the Legislative Council of the said Presidency of Fort William shall have full power and authority to make regulations and laws, as well for the other Presidencies of Fort St. George and Bombay and for all the territories and territorial acquisitions in the East Indies in the possession and under the government of the East-India Company, in the same manner as for the Presidency of Fort William itself, whensoever to the said Legislative Council of the Presidency of Fort William it shall appear that there is occasion so to do ; and shall also have the power of repealing or altering any regulations or laws heretofore made by any Governor in Council, or hereafter to be made by any Legislative Council of either of the said Presidencies of Fort St. George or Bombay.

6. Every law or regulation, after it shall have been resolved upon by any of the said Legislative Councils, and before it shall be submitted to the Governor-General of Fort William for the purpose of having his consent in writing annexed thereto, and before it shall be sent by the Legislative Council of Fort St. George or Bombay to the Legislative Council of Fort William, shall be sent round to every resident Member of the Legislative Council by which such law or regulation shall have been made ; and each resident Member, whether he shall or shall not have attended the meetings of the Council at which such law or regulation shall have been deliberated or resolved upon, shall signify in writing his assent or disapprobation thereof ; and if any two of the Judges of either of the Supreme Courts, or in case there be only two or one of the Judges resident at the time, then if the only Judge or the Chief Justice, or in his absence the Senior Judge of the Supreme Court of the Presidency at which the law or regulation shall have been passed, shall state his or their disapprobation thereof by reason of his or their opinion and belief, that such law or regulation is not within the powers vested by this or any subsequent Act in the Legislative Council by which the law or regulation shall have been made, and shall also state his or their grounds or reasons for such opinion and belief, then the law or regulation respecting which such opinion and belief shall be so stated as aforesaid shall be suspended, and shall have no force nor effect until such time as it shall have been referred to the President of the Board of Commissioners for the Affairs of India for the time being, and to the Directors of the East-India Company, and until the orders of such President respecting the same shall have been received in India ; and the said President for the time being is hereby authorized in all such cases to submit any such law or regulation to his Majesty in Council, and after having so submitted the same, to issue his orders to the Governor-General of Fort William for the revocation or suppression, or the publication and enforcement of the law or regulation ; and if any such law or regulation shall be so directed to be published and enforced, it shall after such publication have the same force, authority and effect, and no other, as if no such suspension as hath hereinbefore been mentioned had taken place.

7. The powers of each of the said Legislative Councils, to be exercised in manner and form as aforesaid, shall extend to the making of laws and regulations for the repealing, amending or altering of any regulations heretofore made by any Governor-General in Council, or Governors in Council, or hereafter to be made by any of the said Legislative Councils, and to the making of laws and regulations for all other purposes whatsoever, and for all manner of persons, whether British or native, or foreigners or others, and for

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all places and things whatsoever, within and throughout the whole and every part of the British territories in the East-Indies, in the possession and under the government of the East-India Company, except as hereinafter is excepted, and subject to the conditions and restrictions hereinafter expressed, and at all times and in every respect subject to the full, absolute and supreme legislative power and control of the Imperial Parliament of the United Kingdom of Great Britain and Ireland: Provided always, that no law or regulation, made by either of the said Legislative Councils for the Presidencies of Madras or Bombay, shall at any time have any force, authority or effect, except within the limits of the territories constituting the Presidency, by the Council of which it shall have been made.

8. No law made by any of the said Councils shall in any way repeal, vary, suspend or affect any Act of the Imperial Parliament, nor any Letters Patent of the Crown, nor in any way affect any prerogative or right of the Crown or Parliament, nor the constitution or rights of the East-India Company, nor any part of the unwritten law or constitution of the realm of the United Kingdom of Great Britain and Ireland, whereon may depend in any degree the allegiance of any persons to the Crown, or the sovereignty or dominion of any part of the British territories in the East-Indies.

9. As soon as any law or regulation shall have been resolved upon, and passed at any lawful meeting of any of the said Legislative Councils, it shall forthwith be published in the Government Gazette, or some other newspaper of the place, before it shall be sent round to the resident Members of the Legislative Council and to the Governor-General of Fort William, for the expression of their approbation or dissent, in writing, and an interval of fourteen days at the least shall take place, from the time of the first publication, before the Governor-General shall give such consent; and if any person or persons interested in or affected by any such law or regulation, shall petition any such Council to take into consideration his or their objections against it, at any time before the consent in writing of the Governor-General of Fort William for the establishment of such law or regulation shall have been given to the Governor-General, or Governor or Vice-President of the Presidency, at which the law or regulation shall have been made, shall direct at what time and place any such person or persons shall state his or their objections, and whether by written petition only, by counsel, or in person; and it shall be lawful for any person or persons who may be aggrieved by any such law or regulation, to appeal against the same to his Majesty the King in Council, who shall have full power and authority at any time to repeal the same, but such appeal or notice thereof shall be made or given within six calendar months of the publication in India of the law or regulation which shall be the subject of appeal.

10. As soon as one week shall have elapsed after any law or regulation shall have been established by any resolution of any of the said Legislative Councils, and by such written consent of the Governor-General, as hereinbefore has been made necessary, the same, if no sufficient cause shall have been given for the suspension thereof in manner aforesaid, shall be carefully registered, and preserved as a record by such Legislative Council, and shall be printed and published in the English language; and for the better securing of a general and accurate publication thereof, one printing-office or press, for each Presidency, and no more, shall from time to time be licensed by the Governor-General

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General in Council, or Governor or Vice-President in Council, of the Presidency, to print and publish the laws of each Legislative Council, and the granting or changing of such licenses shall from time to time be notified by proclamation or public advertisement ; and each of the said Legislative Councils shall, from time to time, make such standing orders as may be most convenient and effective for the due publication of such laws, in as many of the languages of India, and in such manner as may most effectually secure a speedy, full and complete promulgation thereof throughout the British territories in the East-Indies, so that the knowledge thereof may be communicated to all who may be liable to be in any way affected thereby.

11. If any person or persons shall wilfully publish any false statement of any law of any of the said Legislative Councils, he or they shall be deemed guilty of a misdemeanor, and shall be punished accordingly ; and if any person shall suffer damage or loss in consequence of being misled by any such false statement, it shall be a good cause for his recovering damages in a civil action, to be instituted against the party or parties by whose false statement he shall have been so misled.

12. Within one month after the passing and registering of any law or regulation by any of the said Legislative Councils, the Governor-General in Council, or Governors or Vice-President in Council, shall send duplicate copies of the same to the Court of Directors of the East-India Company, and to the President or Secretary of the Board of Commissioners for the Affairs of India ; and at any time within one year from the first receipt of any such law or regulation, it shall be lawful for the President of the said Board of Commissioners, after having submitted the same to his Majesty in Council, to transmit to the Legislative Council of the Presidency of Fort William an order for the repeal of the same, and the same shall be forthwith repealed : Provided always, that all acts done under and according to any such law previous to such repeal thereof, and during its continuance, shall be good and valid ; and all persons shall be saved harmless for any thing by them done, or omitted to be done, in obedience to or compliance with any such law, before the time at which they shall have had, or with due care and watchfulness might have had, notice of the repeal thereof.

13. Nothing herein contained shall extend or be construed to extend to the affecting in any way of the right or power of the Imperial Parliament to make laws for the British territories in the East-Indies, and for all the inhabitants thereof ; and it is expressly declared, that a full, complete and constantly existing right and power is intended to be reserved, and is hereby reserved to the Imperial Parliament of the United Kingdom of Great Britain and Ireland, to control, supersede or prevent, by Act of Parliament, all proceedings and acts whatsoever of the said Legislative Councils, and to repeal and annul at any time any act, law or regulation whatsoever, by the said Councils at any time made or done, and in all respects to legislate for the British territories in the East-Indies, and the inhabitants thereof, in as full and ample a manner as if this act had not been passed ; and the better to enable the Imperial Parliament to exercise at all times such authority, power and right, the President of the Board of Commissioners for the Affairs of India shall, once in every Session of Parliament, lay before both Houses of Parliament the Laws and Regulations of the said Legislative Councils, which, since the foregoing Session, may have been transmitted to him or to the Secretary of the said

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said Board as hereinbefore is provided ; and once in every period of \_\_\_\_\_ years the said Legislative Councils shall transmit to the President of the Board of Commissioners, and the said President shall lay before both Houses of Parliament, the whole of the subsisting laws heretofore made by the said Councils, and then remaining unrepealed and in force ; and the said Councils, before such transmission of the same, shall cause the same to be methodically and systematically arranged, and shall annex thereto such tables, indexes, glossaries, and other explanatory documents and materials as may be conducive to the true understanding of the same.

14. All laws and regulations which shall be made and published by the said Legislative Councils in the manner and form hereinafter provided, as long as they shall remain unrepealed and unaltered, shall be of the same force and effect within and throughout the British territories in the East-Indies, and every part thereof, as any act of the Imperial Parliament is, would or ought to be within the same territories, and shall be taken notice of by all Courts of Justice whatsoever within the same territories, and in every part thereof, in the same manner as any public act of Parliament would and ought to be taken notice of, without being specially pleaded or put in evidence.

(Signed) CHAS. EDW. GREY.  
EDWARD RYAN.

A true copy :

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

(Enclosure, No. 2.)

Some OBSERVATIONS on a Suggestion by the Governor-General in Council, as to the formation of a Code of Laws for the British Territories in the East-Indies.

Observations on  
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It may be said, with sufficient precision for the present purpose, that the whole body of Municipal Law, in any country, may be comprehended within the divisions into which Sir William Blackstone has separated the English Law : First, the rights of persons, or the distribution of political power, privileges, rights and duties. Secondly, the rights of things, or the law of property in things immoveable and in things moveable, together with the law of contracts. Thirdly, private wrongs, or the definition of injuries done by persons to each other, for which the law provides remedies and the means of compensation, together with the courses prescribed for the attainment of such remedies. Fourthly, public wrongs, or the definition of those injuries which are not susceptible of compensation, and are supposed to have a direct effect upon the interests of the whole body of the people, together with the courses established for attaching such consequences to injuries of this sort as may deter others from being guilty of them. As to the first of these divisions of law, namely, the rights of persons, it has always hitherto been, and is likely to remain in India, in so deplorable and discreditable a state of confusion, that it is scarcely possible to speak of it with the plainness which is requisite for showing the real state

state of the case, and yet with the respect which is due to it as the existing law. The most opposite notions are allowed to prevail upon points, respecting which, it is of the utmost importance that no doubt which can be removed should continue to subsist. There is no uniform, or definite opinion, either as to the true character and incidents of the Sovereignty of the Crown, nor of the dependence of the laws on Parliament, nor as to the rights either of political power or of property of the East-India Company, nor even of the relation in which the many millions of natives stand to the political authorities by which they are entirely governed. Different races of natives have different grounds of political right; as to one class of them, it is even disputed under which of two different systems of law it is that they live. Amongst the Hindoos and Mahomedans there are persons not even claiming any sovereignty, to whom the Governments have nevertheless stipulated an exemption from law, or at least from all Courts of Justice. Amongst the British authorities we have Courts, which the Legislature has made Supreme, yet to which no other Courts are allowed to be subordinate; Commissions of the Peace, which are sealed by the Supreme Courts, but are directed almost exclusively to persons who are judicial or magisterial officers of the Company, and who have been recently declared by the Privy Council to be exempt in that character from the controul by mandatory writs of the Courts out of which their commissions as Justices issue; so that from the difficulty of distinguishing what is done by them in one character from what is done in the other, the consequence must be, that in both they will no longer be responsible to any but the Governor-General in Council. There are Acts of Parliament commanding the Supreme Courts to take evidence for the House of Lords, and for special tribunals in England, constituted *inter alia*, for the prosecution of offences by the officers of the Indian Governments; and there are Letters Patent on the other hand, forbidding the Supreme Courts to call for the evidence of natives, except according to the practice of the Company's Courts, or in other words, except as the Indian Governments and their officers will permit. The rights and powers of all the Court's officers, and other persons, which depend on Regulations of the Governments, are subject at all times to change; and there is no adequate provision for keeping them in harmony with Acts of Parliament and Letters Patent of the Crown which apply to India. In this state of circumstances, no one can pronounce an opinion, or form a judgment, however sound, upon any disputed right of persons, respecting which doubt and confusion may not be raised by those who may choose to call it in question; for very few of the public, or persons in office at home, not even the law officers, can be expected to have so comprehensive and clear a view of the present Indian system, as to know readily and familiarly the bearings of each part of it on the rest. The title that is sound in it is obscured by ill-defined pretensions on all sides, and by shreds and patches of law of every texture and hue; some, the remnants of what has long been worn out, and others, the samples of what, at different times, it has been the design of one party or another to manufacture. There are English Acts of Parliament specially provided for India, and others of which it is doubtful whether they apply to India wholly, or in part, or not at all. There is the English common law and constitution, of which the application, in many respects, is still more obscure and perplexed. Mahomedan law, and usage; Hindoo law, usage and Scripture; Charters and Letters Patent of the Crown; Regulations of the

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Governments; some made declaredly under Acts of Parliament particularly authorizing them, and others, which are founded, as some say, on the general powers of Government entrusted to the Company by Parliament, and, as others assert, on their rights as successors of the old Native Governments; some Regulations require registry in a Supreme Court, others do not; some have effect generally throughout India, others are peculiar to one Presidency or one town. There are commissions of the Governments, and circular orders from the Nizamut Adawlut, and from the Dewanny Adawlut; treaties of the Crown; treaties of the India Governments; besides inferences drawn at pleasure from the application of the *droit public* and law of nations of Europe, to a state of circumstances which will justify almost any construction of it, or qualification of its force. Such a state of things, though it may not be justly liable to blame (inasmuch as it may have been unavoidable), and though a great part of it may be better than anything which could be readily substituted, can scarcely subsist as a whole without disturbing the course of good government even within the United Kingdom; and it would, no doubt, be very desirable that so confused a tissue should be disentangled, and that as much as possible of it should be arranged and permanently fixed by Acts of Parliament, or Letters Patent authorized by Act of Parliament, or Regulations made under Acts of Parliament, and in conformity with the powers granted by them, and that whatever it may be necessary to leave in a more loose state, should be declared to be so left only because it is necessary, and that time must elapse before all can be reduced to order. Until something be done in this way, it will scarcely be possible to make any satisfactory provisions for the establishment of Courts, and the administration of justice. But, on the other hand, it must be remembered, that in proportion to the extent and variety of the subject-matter, and the obscurity in which it has been involved, must the difficulty be of applying a remedy to it. There cannot, however, be any such insuperable difficulty, that the relations in which the Crown, the Parliament, the Company, and the inhabitants of India stand to each other, might not be declared, and a foundation be thus laid upon which a regular and well-defined structure of law and government, adequate to the good management of a limited district, might be established at present, and afterwards extended. As to the second branch of law, or the law of property, it would not be difficult to put the rights of property in things moveable, together with the law of contracts, upon one footing for all descriptions of persons in India. No great mischief apparently would arise from providing that, in such matters, the law of England should also be the law of India, and the benefit which would be obtained, would be that there would be the same law for all places. As to immoveable property, or property in land, it is a subject of much greater difficulty and embarrassment. The customary interests of the immediate cultivators of the soil are, throughout all India, obscure, various, and uncertain. It is those interests which present the real obstacle to the admission of British persons to hold landed estates. There could not be any insuperable difficulty in providing against any danger arising to the Government from British residents in the interior, nor in protecting the native inhabitants against their open violence. A power of summary transmission would be more than sufficient. But the real difficulty would be to reconcile the existence of zemindary and talookdary rights in the hands of British persons, with the preservation of the customary rights of the ryots or other persons holding under them.

Custom

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Custom and usage ought to be the criterion of such rights, and if there was a sufficient number of good Courts of Law, well adapted in all their circumstances to the decision of such disputes, though it cannot be said there would be an end of the difficulty, yet the same means would be provided by which similar difficulties have been overcome in other states. But when the arrears of the Country Courts exceed 100,000 causes, and when the Government, in despair of being able to provide a sufficient number of British Judges, are committing the administration of justice, for the most part, to native persons, it would seem to be illusory to hold out a general permission to British persons to buy lands throughout India. If they were to purchase the rights of zemindars or talookdars, and had no appeal but to a Mahomedan or Hindu Judge against the claims of the revenue officers from above, or the ryots from below, they would very soon be glad to abandon their bargains. The only course which in such circumstances seems to show any reasonable prospect of forming any good laws respecting land, is that of separating some one province or district from the rest, in which the revenue has been already permanently settled, and in applying within that district all the means of Government to the purpose of adjusting and fixing the complicated interests of all the classes of landholders, and of reducing them by degrees to simpler and more convenient forms. This has been one necessary step in the progress of civilization in our own country, and in almost every other which has ever come to be far advanced in civilization; nor is there anything in the customary rights of Indian Biswadars or Meerasseedars, which it would be more difficult to deal with, if instead of attempting all India at once, a portion of the country of manageable extent were selected, than there has been heretofore in reducing the fantastic and vexatious varieties which had grown up in France and England under the feudal system, to the better forms of landed property which now prevail. If a general permission to purchase lands were to be extended only to some small province, such as the Delta of the Ganges, with a privilege for retired servants of the Company, of a certain standing and residence in India, to hold lands within a somewhat larger circle, the plan might be manageable. Sufficient Courts might be established or commissions issued for settling the landed tenures; a concentration of capital, skill and social civilization might be preserved, which would be almost as necessary to the welfare of a new and distinct set of proprietors of land established in an old country, as the concentration of labour is found to be in a new country; and if a law were made, that after a specified period, no other estates in land should be created by purchase within these districts than fee simple, or lease for years or for life, and provisions should be gradually made also for the purpose of ultimately accomplishing, not merely that which was done in Ireland, by the abolition of the British tenures, but that still more wholesome measure, which was accomplished in England at one stroke, by the English statute of Charles II., namely, the resolving of all existing varieties of tenures into two or three of well defined characters and incidents. The old tenures, which have been the spontaneous growth of different times and different circumstances, would fade away, or a perception of the benefits of the simpler system would perhaps cause all estates very soon to be cast anew, by the choice of their owners, in these new moulds. At first, if such a safeguard should be thought necessary, the lands

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of Europeans need not be either inheritable or capable of being devised ; but a condition might be annexed to such estates, that the executors, within a year after the death of the owner, should sell, and the produce of the sale should be a part of the assets. The children and widow, or the next of kin, or legatees of the owner, would in this way get the whole benefit of any improvements made by him, and yet the inconvenience that might arise from the land devolving upon infants or persons living out of India, or merely come thither, would be avoided. At some future period, when it might be thought right to make the lands of Europeans liable to succession, or capable of being inherited, they might be made, in the absence of a will, partable amongst all the children, but the owner might have the power of devising them by a registered will to any one of his children. This plan would neither exclude nor rigidly enforce the succession of one only, which by many persons is thought so beneficial, and it would not be very different in effect from the present law of England, where the ordinary course is the succession of one, but the owner in fee simple has the power of devising the estate to all, or of charging it, or ordering to be sold for their benefit. The upshot, indeed, of all that has been said and written for and against the rule of primogeniture in the inheritance of lands, seems to be very little more than that, in cases in which a father dies in possession of means which enable him to make his eldest son a proprietor of a landed estate, at the same time that he can leave a suitable maintenance to his widow and a sufficiency to his younger children, it is better to make this arrangement than to divide equally the whole of his property, because it is desirable to keep up classes of landed proprietors of different degrees of wealth, as better persons to fill the gulf which lies between the Sovereign and the peasant, than mere functionaries of the Government ; but that where a landed estate cannot be kept in the hands of one, except by leaving his other children in uncomfortable circumstances, it is better that the owner should divide the whole. The law, as it now exists in England, abstractedly considered, is better perhaps than that which is here suggested for India, because it tends less to joint-tenancy and tenancy in common, either of which impedes cultivation and improvement, and as we know from experience here, gives rise to ruinous disputes. But with reference to the habits and settled notions of the natives, it would not be desirable to provide at present, that the eldest son only, in the case of intestacy, should succeed to the father. The third head of law, or definition of private injuries, and the courses for obtaining redress for them, would not be very difficult of arrangement. The definition of private injuries might be taken in great measure from the English law, but simpler forms of action ought to be provided, and the principles only of pleading should be established, with a positive declaration that the minute technical rules of the English law were not to be binding, though, at the discretion of Judges, they might still be acted upon, like any other rules of right reason, where they might be found to be justly applicable. The settling of the fourth division of law would be easily practicable. Any one intelligent English lawyer, and one of the civil servants employed in the Nizamut Adawlut, with the assistance of the Reports of that Court recently published, might jointly prepare a Regulation in a few months, which would be for all persons throughout India

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India as good a penal code as any now existing in the world. The arrangement of a system of Courts for carrying the code into execution is another matter, and some observations are made upon it in a separate paper.

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&c.

Papers submitted  
by Judges.

A true copy :

(Signed) CHARLES EDWARD GREY.  
EDWARD RYAN.

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

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(Enclosure, No. 3.)

## OUTLINE of a SYSTEM of COURTS for the British Territories in the East-Indies.

It is with a great distrust of our own competency that we offer any opinions respecting the establishment of Courts of Justice amongst the natives in the provinces. The Governor-General in Council, however, having expressed a wish that we should do so, we will not decline the task. Our suggestions, if inappropriate, will be corrected by those who are more familiarly acquainted with the subject. It would seem to us to be desirable, that a convenient and accurate division should be made of so much of the Indian territories, as may be fitted for a system of regular government, into Presidencies, Provinces, Zillahs and Pergunnahs. This is already done in some sort; but much convenience would result from a more complete division, and from one intended and calculated to be permanent. There would be a greater facility of inspection and control; and the channels for the administration of justice being fixed and customary, the flow through them would be easier and more regular, and the people would know better where and how they were to seek for what they wanted. A map of the political divisions of India, existing under the present system, has never been published. Why should it not? Instead of that surface of huddled names, Hindoo, Mahomedan and British, of which some represent natural divisions of the land, but the greater part political ones which have long been obsolete. In a considerable part of India it would not be difficult to make the complete and perfect division which is here suggested; it might be worth while that the authorities at home should alter, or empower the Governor-General to alter, in several respects, the boundaries of the existing Presidencies; a new one perhaps might be created. The Secretaries of the Government could easily make the division of each Presidency into Provinces; the principal officer of Government in each province could, with somewhat more trouble, make a subdivision of it into a convenient number of Zillahs; and the Judge of each Zillah might, in several instances, be able to subdivide it into Pergunnahs, defining the boundaries of each division, and making them unalterable, except by a regulation of the Governor-General in Council. Where this could not be immediately done, the existing Courts of Moonsiffs and Aumeens might be continued.

2. Within every one of these divisions (Pergunnahs, Zillahs, Provinces and Presidencies) there might be one Court. The Pergunnah Courts might be under Native Judges. The jurisdiction of these Courts, in cases where compensation in money was sought,

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might be limited to causes in which the matter of dispute should not exceed a certain value, say 1,000 rupees ; and in cases respecting lands, to those in which the lands lay entirely within the Pergunnah, and to criminal cases involving no greater punishment than two months' imprisonment. In each Zillah Court there might be three Judges sitting at the same time, but separately, except in cases of appeal, or when any of them should require assistance, when they should sit together. One (or, if necessary, even two) of the three Judges might be natives ; and their jurisdiction might extend to all money cases where the matter in dispute should not exceed in value 10,000 rupees ; to cases respecting land, in which the lands lay in more than one Pergunnah, but entirely within the Zillah ; and to criminal cases not involving the punishment of death or banishment, nor imprisonment for more than one year ; but they should have the power of sending any case of difficulty to the Provincial Court for trial in the first instance, or of reserving it until the visit of a Provincial Judge, as hereinafter mentioned. In each Provincial Court there should also be three or more Judges, sitting separately in all cases, except cases of appeal, when they should sit together, and having jurisdiction in all civil cases not triable by the inferior Courts, and in all criminal cases except treason. In each Presidency there might be one Supreme Court of Appeal, having also an original jurisdiction in civil disputes between privileged persons and bodies of the state, and in suits relating to important public charities, or any other matters which have the effect of putting lands in mortmain, and in criminal accusations of treason, or of corruption in the higher officers of the Government. There are some who do not deem it a right principle for the arrangement of a system of Courts of Justice, that an inferior class of Judges should be provided, and less formal proceedings established for the decision of small causes, than for those which involve claims of greater value. A small sum, they say, is of as much moment to a poor man as a large one to a richer, and the poor man has an equal right to a perfect administration of the law ; but this can scarcely be adapted to practice, and is, at least, opposed to the established usage of almost all countries in the world in all time. There has hardly ever been any civilized state in which there have not been inferior Courts, and more summary modes of proceeding for the settlement of petty disputes ; and if the means by which justice must be administered, and some of the incidents of law, of property, and of crime are considered, reason appears to justify this usual course. For the most part, where the claim is trifling, the circumstances on which it depends are not difficult. A small debt does not usually involve a very long account ; a dispute about a cottage does not often depend upon an intricate title ; a claim of a hundred pounds rarely makes it necessary to explain the doctrines of trusts and uses. Again, the consequences which are attached to the decision of small claims, do not so urgently require caution and sureness of judgment as actions of greater importance. In most cases it is not of equally evil consequence even to the parties themselves, whatever their circumstances may be, to make a mistaken decision as to fifty pounds as fifty thousand ; nor in a sentence of imprisonment for a year, as in a sentence of death. Lastly, the smaller claims are every where by far the most numerous class, and taken altogether would occupy the most time, if they were to be tried with the same formalities as the most important cases. No state can find and pay Judges of the

the highest qualifications in sufficient number for all cases, and yet it is desirable that as many such Judges should be employed as can be found and retained. Surely, it is only plain sense to say, that these shall be employed upon the more difficult and important cases, rather than upon the ordinary and trifling ones. If laws are ever reduced to so much simplicity, that all are equally able to understand them, then all Courts may be similarly constituted; but at present it is desirable to have some of a more powerful constitution than can be imparted to all, for the purpose of dealing with those classes of cases in which the greatest difficulties are to be overcome.

3. There should be only one appeal, demandable of right, for any error in fact. For error in law, whenever law is firmly established, and in all cases where corruption is imputed to the Judge or Court, the appeal ought to go to the Provincial Court at least. But for disputed facts, merely in a suit originally tried in a Pergunnah Court, there should be but an appeal to the Zillah, whose decree in that matter should be final; of a suit originally tried in the Zillah, to the Provincial Court, whose decree should be final; of a suit in the Provincial Court, to the Presidency Court of Appeal; and of the few suits which would be tried originally in the Presidency Court, to the King in Council; but there might be a discretionary power for the King in Council, or the Presidency Court of Appeal, upon special grounds, and more especially that of corruption in any Court or Judge, to call for any case whatever of the highest or the smallest importance, and if necessary, to suspend any decree made in it. In cases of appeal, the Judge, before whom the case should have been tried, should be obliged to state to the Court of Appeal a summary of the whole case, and the grounds of his decision; and the whole of the cases sent from the Provincial Courts to the Presidency Court of Appeal, should be reduced into English. Every Court might have the power of issuing writs of *habeas corpus* within the district through which its jurisdiction extended; and the writ might be demandable as of right in every Pergunnah and Zillah Court, but not in any Superior Court, except when any denial of the writ might have been made by an inferior Court, from which the party had a right to claim it.

4. One Judge of each Zillah might, once in the year, visit every Pergunnah Court of the Zillah; one Judge of each Provincial Court might visit every Zillah Court of the province; and one Judge of the Presidency Court of Appeal, every Provincial Court. The duty of the Judges visiting the subordinate Courts would be to inquire whether there were any complaints of corruption in the Courts, to receive an account of the proceedings of the past year, to inspect and correct the rules of practice and costs, and to try any causes which should have been adjourned until their arrival.

5. The Judges of the Pergunnah Courts might be named by the Zillah Judges annually, or every five years, and if any plan could be arranged for permitting the inhabitants of the Pergunnah to name a list of candidates, from whom one was to be selected, it would be so much the better. The Zillah and Provincial Judges might hold their stations by appointment from the Government of the Presidency, for seven or ten years, subject to removal for assigned grounds of misconduct or incompetence; but, perhaps, it would be desirable that in each Provincial Court there should be a Barrister as Judge or Assessor. The Judges of the Presidency Court of Appeal ought to be appointed by the

Crown

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Crown, partly from amongst the Company's civil servants, but some of them ought to be barristers of ten years' standing in England.

6. The Rules as to the districts within which causes, criminal and civil, should be tried, might be that each crime, according to the nature of the offence, must be tried in the Pergunnah Zillah, or Provincial Court of that district, either in which the offence was wholly or partially committed, or in which the criminal was apprehended; every civil suit relating to lands in a district in which the lands are wholly situate; every suit relating to moveables or to contracts in the district within which either the plaintiff or the defendant was domiciled at the time of the cause of action accruing, or of the action being brought.

7. All persons without any other exception than that of the Governor-General, Governors and Councillors, should ultimately be made equally amenable to every Court. The removal of the inconveniences which might at first oppose this, belongs rather to the formation of a general code of law, than to that part of it which would consist of the arrangement of a system of Courts.

8. For every Presidency there should be one principal officer appointed by the Government to see to the execution of the process of the law, and under him there should be officers for each Province, Zillah and Pergunnah, one for each. These officers should enforce and execute without preference and with equal diligence, the process of any Court of Justice whatever, which might come to their hands. They should be a distinct body from the judicial establishment, but amenable both civilly and criminally to all Courts of Justice, as the Sheriffs in England are, for corruption, falsehood or neglect. This system is preferable to that of each Court executing its own decrees, which tends to collision between the officers of different Courts, whereas the Sheriffs ought to be indifferently affected as to all.

9. The question of Trial by Jury, which has been so much discussed, might, perhaps, be provided for at first by having juries of five upon all criminal trials in the Provincial Courts, and full juries of twelve in the Presidency Court in the few cases which would come before it for trial. The Zillah and Pergunnah Courts might adjourn the more important of the criminal cases, brought before them, until the annual visit of a Judge from a superior Court, who might, in such instances, have the power of summoning a jury of five.

10. Instead of having any separate Courts of Equity, it might perhaps be desirable that, in forming a code of law, there should be a specification of certain cases to which all Courts might be at liberty to apply a discretionary modification of the strict rule of law, subject to a report to be made to the Superior Court. Equitable modifications will be found necessary in every system. The great object is to make it manifestly apparent when a decision is made upon the ground of law, or when upon that of equity, in order that the party interested may know how to apply for the correction of any error. When Judges have a general discretion to apply equitable principles in the administration of law, it is pretty nearly the same thing as having no law at all.

11. Jurisdictions, as to wills and testaments, and the administration of the estate of deceased persons, might be given to the Pergunnah, Zillah, or Provincial Court, according

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according to the amount of the property and the place where it should be deposited or situated.

(Signed) CHARLES EDWARD GREY.  
EDWARD RYAN.

True copy:

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

LEGISLATIVE  
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&c.

Papers submitted  
by Judges.

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(Enclosure, No. 4.)

LETTER from the Judges of the Supreme Court to the Secretary of the Board of Commissioners for the Affairs of India.

OBSERVATIONS on various Questions touching the origin and nature of the Authority possessed by the Government and the Supreme Court of Judicature; with Suggestions for the better Administration of Justice, and the adjustment of the numerous points now involved in doubts and difficulties.

SIR:

Court House, Calcutta, September 1830.

We have now the honour of complying, to the best of our abilities, with the request contained in your letter of the 15th of November last.

2. To exhibit distinctly our view of the circumstances in which the Court is placed, it is necessary to go through a statement which we not only fear will be tedious, but of which the substance must be familiar to the President and Board, yet the facts have been regarded in such different lights, that unless we communicate our own impressions of them, the foundations on which our opinions rest will be liable to be misapprehended.

3. The first East-India Company was constituted for the establishing and improving of a difficult and valuable trade, for a limited time, and with a reservation to the Crown of a power to revoke the Charter when the good of the nation might require it.

4. In the reigns of William III. and Queen Anne, the old Company was induced to surrender its Charter, its corporate capacity was terminated, and its members were admitted into another Company which had been constituted not by the Crown alone, but by Act of Parliament, and by Letters Patent of the Crown issued in pursuance of the Act; and a power was reserved of entirely putting an end to the United Company after a certain time, and upon a certain notice, and upon the repayment of a sum advanced by the Company to the Crown.

5. The possessions of the old Company in the East-Indies were transferred for a valuable consideration to the new one; and they were principally the island of Bombay, a town and fortress at Madras, and another at Calcutta. These three places, of which the property was then in the United Company, or those who held under them, were plainly recognized by the Crown in 1726, in Letters Patent of that date, to be British settlements, and within the King's peace and allegiance, and the Company who accepted the Charter must be deemed to have been parties to it.

Public  
Administration  
of Justice.

6. Bombay

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Papers submitted  
by Judges.

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of Justice.

6. Bombay had long been severed from the Mogul empire, but Madras and Calcutta probably were considered, even subsequently to this period, by the Indian Princes whose territories surrounded them, as nothing more than factories in which they had given a property to the Company, and allowed them to raise fortifications for their defence in times of disturbance.

7. In 1730 the Company was declared, in explicit terms, by the statute of the 3 Geo. II. c. 14, to be a perpetual corporation, and to be entitled as such to continue to trade in common with other British subjects, if at any time their privilege of an exclusive trade should be terminated. There had been a previous Act in 1710, intended probably to have the same effect, but of which the language was rather obscure and uncertain.

8. The powers of political government which had been given by the British Crown and Parliament, whether to the new Company or the old, down to the year 1757, were calculated mainly and almost entirely for the defence and protection of the three settlements above mentioned, and of the great trade which was carried on for the benefit of the nation.

9. In 1757, however, in the recovery and protection of the settlement at Calcutta, an operation in which the Company were assisted by the King's forces, the abilities of Colonel Clive were so much more than equal to the occasion, that he suddenly found himself the conqueror of the whole of the rich and populous provinces of Bengal, Behar, and Orissa; the capital was in his possession; and the Subahdar or Viceroy, whom he had defeated in battle, was killed by one of his own people. Colonel Clive and Admiral Watson, whilst the contest was going on, had promised a Mahomedan officer of the enemy, that if he assisted them he should be Subahdar; and Colonel Clive accordingly made him assume the title and state of Subahdar of the three provinces, though he had no claim by any appointment of the Mogul Emperor, nor by any hereditary right, but depended entirely upon the support of Colonel Clive, whose act must have required, in this case, to be ratified by the British Crown, before it could be considered as standing in the way of any arrangement which the Crown or Parliament might choose to make respecting the conquest.

10. To pass over intermediate events, the Governor and Council of Fort William, on the part of the East-India Company, in February 1765, made an agreement with the successor of this Subahdar, of which the substance was, that he should have the title and rank of Subahdar, and Nazim of Bengal, Behar and Orissa; but that the Company should nominate a Deputy Subahdar, who should not be removeable without their consent, and who should have the management of all public affairs, including the revenue, and the appointment of officers in that department; but that these should be liable to be removed on the application of the Company. A British person appointed by the Company was to be always resident with the Subahdar, and no European was to be admitted into his service. The Subahdar agreed that the opinion of the Company should be the criterion of what would conduce to his honour and reputation; and the whole military force was put into the hands of the Company, to whom Burdwan, Midnapore and Chittagong, three districts in Bengal, yielding a large revenue, had been some time before assigned for the purpose of their maintaining an army.

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11. At a later period of the same year, 1765, the Company obtained from the Mogul Emperor, after the battle of Buxar, a firman, which purported to be a grant in perpetuity of the whole revenues of Bengal, Behar and Orissa, upon condition of their providing for the expenses of the Nizamut, and paying to the Emperor annually twenty-six lacs of rupees.

12. In this manner, within a short time, and before the close of the year 1765, the Company had taken into their hands all the means and forces of Government throughout Bengal, Behar and Orissa; and as a perpetual right to collect the land revenues necessarily implied the right of entering and measuring the lands, and of ejecting the tenants upon failure of payment, it was absolutely incompatible with any adverse possession in other hands of the dominion of the country. There were then but three modes in which it seems to have been possible to contend that the Company had the right to keep the powers they had obtained. First, as filling under the Mogul Emperor the offices of perpetual Dewan and commander of the army in these provinces, and as holding in perpetuity the three districts of Burdwan, Midnapore and Chittagong, with all such rights annexed as the Subahdar had formerly enjoyed; secondly, as having become, in fact, themselves the sovereigns of Bengal, Behar and Orissa; or thirdly, that, as British subjects, they had obtained them by conquest and treaty, in trust for the British Crown. It would not have been reasonable that a Company which had been created by the British Parliament, and was composed for the most part of natural-born British subjects, to whom the temporary privilege had been given of excluding all other British subjects from the sea-coasts of more than half the globe, should have seized the opportunity afforded by these privileges, to secure to themselves a power either as independent potentates, or as servants of a foreign prince, which might be turned to the injury of the country to which they owed their political existence: accordingly, the British Parliament, by the Act of the 13 Geo. III. c. 63, seems to have decided that the last of the three forms stated above was the only one in which the Company could be permitted to hold what they had so unexpectedly acquired; and as the circumstances were such as had not been at all contemplated when their Charter for trade was granted under the statute of the 9 William III., and as those circumstances might vitally affect the interests and constitution of Great Britain, provisions entirely new and different were justified and required by the occasion.

13. One difficulty was felt which would not perhaps at the present day have been thought so considerable. It was imagined that the land revenues, after defraying the expenses of Government, would still yield a large surplus, and this the Company claimed as their lawful profit, and that they had a property in the revenues. On the other hand, it was contended, and indeed it was resolved by the House of Commons, that the revenues belonged to the State. The dispute ended in a provision which has been renewed and still subsists, that the revenues and territorial acquisitions should remain for a limited period in the possession of the Company, without prejudice to the claim of the nation: and the matter is now of less consequence than it was formerly, since the expenses of Government, to which the land revenues are specifically appropriated by Act of Parliament, are such as to make it unlikely there will be any great surplus, unless

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by Judges.

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of Justice.

taxes should be imposed to a considerable extent ; and even in the event of a surplus, the respective shares of the Company and the Public are ascertained by the statute.

14. To a certain extent the statute of the 13 Geo. III. c. 63, seems to be clear and decisive. It put an end to all question as to the dependence of the Company on the Parliament, and as to the absolute right of the British Legislature to regulate and direct the whole powers of political government which the Company might then have or thereafter acquire. The Parliament itself nominated in the statute the five persons who, for the next five years, were to be the Governor and Council in Bengal, and who were not to be removeable by the Company ; reserving to the Company the power of appointing subordinate agents for the management of their commercial affairs ; and although the Governor and Council were subjected to the lawful orders of the Court of Directors, the Directors were placed, as to matters of government, under the superintendence of the High Treasurer or Commissioners of the Treasury, and one of the Secretaries of State. Since that period the trade and property of the Company have been in law, according to statutory enactment, a distinct and separate thing from their powers of political government, but unfortunately not so distinct that they have not continued to be entangled at several points, and frequently confounded ; and although the Company's powers of government, whatever they were, were at this time entirely subjected to the British Crown and Parliament, it was not made quite so plain and certain how far and in what manner, it was intended to assert the sovereignty of the Crown and the authority of Parliament over the provinces in which these powers were to be exercised, and especially to what extent it was intended that the powers of legislating and administering justice, which had existed under the former governments of the country, should survive the change which had taken place. The title of the Act implied only the establishment of dominion and law over the whole of a newly acquired territory and its inhabitants ; there was no formal declaration in it even of the sovereignty of the Crown ; the Settlement at Fort William, and the factories and places subordinate thereto, were mentioned distinctly from the provinces at large ; and there were many expressions and provisions whence it might be inferred that the inhabitants of the provinces were not considered as having become British subjects, which would have been the legal consequence of the provinces having become British territory. But on the other hand, the whole civil and military powers of Government, throughout the provinces, had for some time been in the hands of the Company, and the Governors newly nominated and appointed by Parliament, were directed to exercise the same, including the ordering and management of the revenue, which, as we have stated, was absolutely inconsistent with the dominion of the country being in any adverse possession ; and there is no supposition on which it can be conceived to have been intended by the British Parliament, that British persons, appointed by the King in Parliament to exercise all the powers of government, should exercise them in any subordination, either formal or substantial, to any other Crown than that of Great Britain itself. Since that period neither the Mogul Emperor nor the titular Subahdar and Nazim, have ever been permitted to do any important act of authority within Bengal, Behar or Orissa. In the course of the debates which preceded the statute, the House of Commons had resolved, with reference to the revenues and territorial acquisitions, that

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"all acquisitions made by treaty with foreign princes did of right belong to the State;" and by the statute they were declared to be left in the possession of a British Company, by the permission and will of the British Parliament. By the Charter of Justice, which was granted under the Great Seal in the next year, 1774, writs in the King's name were directed to be issued into every part of the provinces of Bengal, Behar and Orissa; and it has never, from that time until this, been disputed that these writs, against certain classes of persons at least, have always been legal, and of as full force and effect on the outer borders of the provinces, as in the town of Calcutta, or as in England itself. The writers too, who have been the best qualified to pronounce an opinion upon this subject, and amongst the rest Mr. Harrington, a chief judge of the Sudder Adawlut, who wrote and published, with the sanction of the Court of Directors, an Analysis of the Laws and Regulations of Bengal, have always dated from this statute, or from the earlier era of Clive's conquest, that sovereignty of the British Crown over Bengal, Behar and Orissa, of the present existence of which, throughout the British possessions in India, there cannot be any question.

15. Perhaps in these circumstances, the most consistent and tenable ground on which the enactments of the statute of the 13 Geo. III. c. 63, can be placed, is the supposition of the sovereignty of the British Crown, and the authority of Parliament having been fully established by it, or by what had previously taken place, but that it was not intended to abrogate the previously existing laws of the new territories further than was expressly declared, nor all at once to abolish or preclude the powers of legislating, and of administering justice, which the Company had obtained from the former Governments, but only to subject these to the control and regulation, and to the will of the Crown and Parliament; at the same time that means were afforded to the Indian Government of bringing the whole territories gradually into a subordination to the settlement at Fort William, and of making regulations by which, under the control of a Supreme Court of Justice, one uniform system of law and government, not repugnant to the laws of England, might ultimately be established. To leave, for a time, to the old forms of Government a distinct existence, was not only the course which the difficulties of the case seemed to point out, but it was perhaps, in some degree, required by good faith, and was recommended by considerations of humanity. It seemed to be implied, in the grant by which the Dewanny had been given up, and in the agreements which the Company had made with the Subahdars whom they had set over the provinces, that, for a time at least, the Nizamut or Mahomedan Government of the provinces should be maintained. The Crown and Parliament, though they had been no parties to those agreements, had not cancelled them, and were certainly bound, in justice, if they took any benefit from them, to observe the conditions which might be annexed; and although the obvious intention of those who were parties to the grant of the Dewanny, and the plain meaning of the words, were only that the Mogul Emperor should not be called upon for any of the expenses of the Nizamut, it might be contended that the use of the term, "Nizamut," which was a well-known office, including the whole government, excepting the collection of the revenue and its necessary incidents, implied some retention of its Mahomedan form and character; and under the existing arrangements with the titular Subahdars, there was a system of Mahomedan government in action in the provinces, at

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the head of which was placed a native nominated by the Company as Naib Subahdar, or Deputy Subahdar. Upon the supposition that the statute established the sovereignty of the British Crown over the provinces, it would have followed, but for those considerations, that the existing inhabitants would have become, not naturalized indeed, but still British subjects, though with the liberty perhaps of removing themselves and their property. Lord Mansfield's declaration of the law on this point, in the case of *Campbell* against *Hall*, in the very year in which the Charter of Justice was granted, must be held to be conclusive, and to have expunged the barbarous tenet of some lawyers of a former time, that a people, uninstructed in the Christian religion could neither claim protection as their right, nor owe allegiance as a duty to the British Crown. But if the Act and Charter passed upon the supposition of the Nizamut and Dewanny being maintained in their Mahomedan form, except where Parliament had expressly altered them, or might afterwards interfere to do so, those who at the time were living under the Mahomedan form of government in the provinces might be considered as entitled, notwithstanding the territory had become British dominion, to stand in something like the same relation to the British Crown as the European inhabitants of factories had been permitted to maintain with the Mogul sovereigns and other Indian princes; a relation which preserved to them their characters and rights respectively of British, French, or Dutch subjects, though inhabiting the territories of a foreign sovereign. It was no longer indeed, as it seems to us, possible to contend that the natives born subsequently within the provinces would not be subjects of Great Britain, but they might perhaps be considered to be so by reason of their being subjects of an Indian realm which had become a dependency of the British Crown and Parliament, but which still retained, by permission of Parliament, some distinct powers of legislation and of administering justice, as portions unabrogated of their former laws. It was the more reasonable to lean to this interpretation, because the Mahomedan and Hindu inhabitants of those provinces, like the clients under the Roman law, or the vassals of the feudal system, and indeed the common people under every other state of government in which numerous chieftains or heads of political or religious classes exist, had been accustomed to think more of their fealty to the immediate chief upon whose land, or under whose protection or patronage they lived, than of the allegiance due to a common and supreme sovereign. The country was in a state in which the people ranged themselves under different flags, rather than according to boundaries of territory. The Hindus and Mahomedans could not suddenly and all at once have been brought under an entirely new, and fundamentally different, system of laws, without the most extreme difficulty and inconvenience; and as to the Mahomedans, there was the further consideration that their Koran enjoined obedience to those rulers only who protected their religion. No lasting inconvenience was necessarily connected with this view of the case. Treaties among Indian princes had been for the most part considered by themselves, unless there was some special provision in them, as binding only during the lives of those by whom they were made. Subsequent experience has shown that the expounders of the Koran find no difficulty in reconciling the allegiance of Mahomedans with that degree of toleration and protection of their religious usages which the British Parliament has felt no difficulty in sanctioning; and the Parliament is supposed to have always had the power and right, whenever it might choose to interfere,

interfere, of modifying and altering those remnants of Mahomedan government which it permitted to exist in a distinct state. Thus the subsequent existence of the Nizamut is reconciled with the statute of the 13 Geo. III. c. 63, but is not supposed to have been left upon so stable a foundation as to have prevented it from being moulded into a more British form when those were dead who had any personal claims to insist on its continuance, and when the next generation of natives, without any abrupt offence to their prejudices and habits, might be brought more immediately under the influence of British institutions. The exercise also of certain powers by the British Governments in India is explained, which cannot, strictly speaking, be shown to be derived from Parliament, though subsisting only by its permission, and to be exercised in subordination to its authority and will.

16. The first establishment of the Supreme Court of Judicature at Fort William was directed by the statute on which these observations have been made. The object in making them has been to explain the powers and jurisdiction which were given to the Court, and to show, at the same time, how imperfectly defined were the foundations on which it was placed, and by how many obscure difficulties it was surrounded. For these purposes there are still some other facts which it is necessary to revive and bear in mind. The first East-India Company had very early been empowered to establish Courts, and in many cases to put in force, within their settlements and factories, the English laws; and similar power was given to the new Company by the Charter of the 10th of William III.; but in 1726 these Courts had been superseded, and there had been established at each of the settlements of Madras, Bombay, and Calcutta, by Royal Charter, a Court, consisting of a Mayor and Aldermen, for the trial of civil actions, and a Court of Oyer and Terminer, consisting of the Governor and Council, for the trial of criminal offences, and the Governor and Council were also constituted Justices of the Peace, and had continued to be so from that time. The Charter was surrendered, and a new one granted in 1753, with some alterations, but not such as to change materially the structure of the Courts as stated above. These Courts at Calcutta were acknowledged by all persons, after the conquests of Clive, to be no longer sufficient for the administration of justice. Besides their powers of political government, and their rights connected with the general revenue, under the grant of the Dewanny, the Company claimed the three districts of Burdwan, Midnapore and Chittagong, as entirely belonging to them, and the property also of a large zemindarry lying to the south, but beyond the boundaries of Calcutta; and they had enjoyed for themselves and their servants the privilege of trading free of duty throughout the provinces. There had been numerous factories and smaller stations, called aurguns, in different parts of the provinces, where their agents and servants, and makers of salt, and weavers, and other persons employed by them, or living under their protection, were collected, and where the upper agents traversed the country in all directions; some of them were guilty of many violent and oppressive acts, and a state of the greatest disorder had ensued. It was expressly with a reference to these circumstances, to the insufficiency of the former Courts, and for a remedy of these evils, that the new Court was directed to be established; and the statute fixed the outline of its powers and authority, which were to be more distinctly and specifically developed in a Charter to be granted by the Crown, in pursuance of the statute.



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17. The statute provided that the Court should exercise all civil, criminal, admiralty and ecclesiastical jurisdiction; and that it should be a Court of Oyer and Terminer and Gaol Delivery, for the town of Calcutta and factory of Fort William in Bengal, and the limits thereof, and the factories subordinate thereto; and that the Charter to be granted by the Crown, and the jurisdiction and powers to be thereby established, should extend to all British subjects who should reside in Bengal, Behar and Orissa, or any of them, under the protection of the Company; and that the Court should have full power to hear and determine all complaints against any of his Majesty's subjects for any crimes, misdemeanors or oppressions, and to hear and determine any suits or actions against any of his Majesty's subjects in Bengal, Behar and Orissa; and any suit, action or complaint against any person who at the time of the cause of action arising should be employed by or in the service of the Company, or of any of his Majesty's subjects; and should hear and determine any suits and actions of any of his Majesty's subjects against any inhabitant of India, residing in Bengal, Behar and Orissa, upon any agreement in writing where the cause of action should exceed 500 rupees, and where it should be agreed that in case of dispute the matter should be determined in the Supreme Court; and that such suits or actions might be brought in the first instance before the Court, or by appeal from the sentence of any of the Courts established in the provinces: That the Governor-General in Council, and the Chief Justice and other Judges of the Supreme Court, should have full power and authority to act as Justices of the Peace for the settlement at Fort William, and the several settlements and factories subordinate thereto, and to do all things to the office of a Justice of the Peace appertaining; and for that purpose the Governor and Council were authorized and empowered to hold quarter sessions at Fort William four times in the year: That in cases of indictment or information laid or exhibited in the Court of King's Bench in England, for misdemeanors or offences committed by Governors, Counsellors or Judges in India, the Court of King's Bench might award a mandamus to the Supreme Court, requiring it to examine witnesses and to receive proofs, and to issue such summons or other process as might be requisite for the attendance of witnesses; and in case of any proceedings in Parliament touching any offences committed in India, that it shall be lawful for the Lord Chancellor and Speakers of the two Houses to issue their warrants to the Governor-General and Council, and the Judges of the Supreme Court, as the case might require, for the examination of witnesses, and such examinations, duly returned, should be good and competent evidence. A like power of directing to the Supreme Court writs of mandamus or commissions to take evidence, was given to all the King's Courts at Westminster, in actions or suits of which the causes should have arisen in India; but an exception was made that depositions taken in this manner should not be evidence in capital cases, unless in Parliament.

18. In stating the fuller and more express ordinances of the Charter by which in the following year the Court was established, it may be as well, for the sake of brevity, to pass over the authority of the Court as a Court of Equity, of Admiralty, and an Ecclesiastical Court, and to describe only its other powers and jurisdictions; namely, first, an authority similar to that which the Justices of the King's Bench have in England by the common law, and to be exercised especially for the conservation of the peace; secondly, the hearing and determining of pleas in civil actions; thirdly, its jurisdiction as a Court

of Oyer and Terminer and Gaol Delivery; and fourthly, powers to be exercised in assistance of proceedings, criminal or civil, instituted in Parliament or in the superior Courts in England, for causes of action or offences in India: and it ought to be borne in mind that whatever reason there may be to suppose that the statute of the 13th Geo. III. c. 63, was somewhat imperfectly worded, by reason of its being the production, not of calm leisure and clear views, but of a struggle of parties after the attention of all had been exhausted, and their conceptions disturbed, by the disputes of several successive sessions, there is no ground for thinking that the Charter itself, though its form must have depended in a great measure upon the statute, was drawn up otherwise than with great care. The case of *Campbell* against *Hall*, which was heard and decided in that very year, shows how much the minds of some of the principal lawyers of the time, and especially Lord Mansfield, had been engaged in those great questions which the Charter involved; and it is known that it was subjected to the inspection of Lord Thurlow, Lord Loughborough, Lord Bathurst, and Lord Walsingham, and received their corrections and amendments.

19. Justices of the Peace had been established at Madras, Bombay, and Calcutta, since 1726; and the statute of the 13th Geo. III. c. 63, enacted that the Governor-General and Council and the Judges of the Supreme Court should be Justices of the Peace for the settlement of Fort William, and the settlements and factories subordinate thereto, and the Governor-General and Council were directed to hold quarter sessions at Fort William. By the Charter which followed the statute, the Court of Quarter Sessions and the Justices were made subject to the control of the Court, for any thing done by them while sitting as a Court of Quarter Sessions or in their capacity as Justices, "in the same manner and form as the inferior Courts and Magistrates in England are by law subject to the order and control of the Court of King's Bench; and the Supreme Court was empowered to issue to them writs of mandamus, certiorari, procedendo, error. By the fourth clause of the same Charter it was ordained, that the Judges of the Supreme Court should respectively be Justices and Conservators of the Peace, and Coroners, within and throughout the provinces, districts, and countries of Bengal, Behar and Orissa, and every part thereof, and should have such jurisdiction and authority as Justices of the Court of King's Bench have within England, by the common law thereof. It has not, as far we are aware, been questioned that under these provisions there was given to the Supreme Court the same power and control over the Court of Quarter Sessions, and over any of the individuals, amongst whom was each of the Judges themselves, who were constituted Justices of the Peace, as the Court of King's Bench has over Justices of the Peace in England; nor can it reasonably be contended that the authority of the Judges in this respect was limited to the settlement at Fort William, and the factories and places which had been subordinate to the settlement before Clive's conquest. For the first, not only were the powers given in the fourth clause of the Charter expressed to be such as the Justices of the King's Bench had by common law, which not being those of local Conservators of the Peace merely, nor such only as were possessed by the other Judges, are known to have extended wherever the King's peace was to be preserved; but those who framed that clause of the Charter, as if to prevent the possibility of doubt, took care to employ the words, "throughout the provinces and every part thereof:" words which, except

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except by a counsel in support of his case, can never be supposed to have been heedlessly used, or to have been meant, when sanctioned by the great seal, to be treated as an empty form by the Judges, to whom the Charter was given as the text of their duties. Secondly, the principal motive which led to the establishment of the Court was a desire to prevent the violence and oppressions of which British persons and other agents of the Company were guilty in the provinces, and for the correction of which the former Courts were declared insufficient. This could not have been done by the Court if the Judges were to have power as Conservators of the Peace only at Fort William or in the scattered factories, and to be powerless in the interjacent spaces; whilst British persons, who were acknowledged to be independent of the Nizamut and Mahomedan laws, might range the provinces at large. If a murder was committed or false imprisonment made in the provinces, by a person amenable only to the Supreme Court, it was necessary that the Judges, as Coroners and Conservators of the Peace, should have a right of instant investigation, and of affording immediate relief. Their powers could not have been adapted to the increase of territorial acquisitions, or in any way more effectual than those of the former Justices of the Peace, if they had been confined within the same bounds. Thirdly, it never has been contended that writs of habeas corpus to release from wrongful imprisonment may not be issued, or that they have not been lawfully issued, to British persons in the provinces; and we apprehend that it is upon the fourth clause of the Charter that the power of issuing any writ of habeas corpus at all will be found to rest; and that, in this respect at least, that clause is something more than idle words, and that the powers of the Judges given to them by it are not merely those of ordinary Justices, but such as belonged to the Justices of the King's Bench by the common law. Fourthly, it was in no way consistent with the supposition even of the provinces being a distinct and subordinate realm, that the King should appoint Conservators of the Peace there with the fullest power. It never has been questioned that the process of the Court, as a Court of Civil Pleas and a Court of Oyer and Terminer, was intended, as against British persons at least, to run through every part of the provinces; and for the purpose of enforcing the attendance of witnesses, this has not been restricted to British persons, but is compulsory on the native inhabitants as well as others. This being the case, it would have been difficult to find any good reason for confining to narrower local bounds the power given to the Judges for the conservation of the peace; nor has there ever been any way in which the process of the Court, in any of its several capacities, could be effectually enforced or supported, unless by a co-extensive power of preventing a riotous resistance of it. Lastly, this point seems to be placed beyond doubt by the 33 Geo. III. c. 52, s. 151, in which it is declared that the Governor-General and Council, and the Judges of the Supreme Court, had heretofore been authorized by law to act as Justices of the Peace within and throughout the provinces, districts and countries of Bengal, Behar and Orissa; and since that statute, under commissions authorized by warrant of the Governor-General, but issued by the Supreme Court, and sealed with the seal thereof, there have been Justices of the Peace resident in all parts of the provinces, who are acknowledged to be subject to the control of the Supreme Court. Supposing it then to be beyond dispute that the powers given to the Court in 1774, by the fourth clause of the Charter, were not limited to the settlement at Fort William and the subordinate factories,

factories, but extended throughout the provinces, the reasons for thinking that the native inhabitants were not exempted from them are, first, that in that passage of the Charter no such exemption is made; secondly, that the nature of the power and the objects of it are absolutely incompatible with any exemption of particular classes of persons. No Conservator of the Peace, at any time or in any place, no Justice of the Peace at present in the provinces, could make any distinction of persons in the discharge of his peculiar duties. If any affray or riot takes place, especially in the night-time, it is impossible that there can be any selection of the rioters. If one of the Council, or a Judge of the Court, in 1775, or at any time previous to 1793, when they were the only Justices of the Peace, should have been resisted, and himself or his assistants imprisoned or maltreated by natives, when he was discharging his duty as a Justice of the Peace in the provinces, even though the primary cause of his being called upon to act might have been a breach of the peace by a British person, it could not have been maintained that the Court had no power to protect him, or release him from imprisonment; and there seems to be equal reason that the same power should now exist for the support and protection of those who act under the commission of the peace which is issued by the Court. If a criminal in the provinces, amenable to the British law and the Supreme Court, and to no other tribunal, be harboured and abetted by natives, surely they are not to set at defiance the Justice of the Peace who is to apprehend him, and the Supreme Court to whom the Justice is answerable. We are aware of its having been said that the Charter exceeded in some particulars, and went beyond the words of the statute. We do not admit this to have been the case, but consider, on the contrary, that the directions of the statute, that the Court should exercise all criminal jurisdiction, and that the jurisdiction should extend to all the King's subjects who should reside in the provinces, implied and made it absolutely necessary that there should be a power similar to that of the Justices of the King's Bench, extending throughout the provinces; but even if this necessity had not been created by the statute, the Charter, for every purpose that was within the King's prerogative, and which was not prohibited in express terms by the statute, would not have been the less valid and effectual. Supposing the provinces to have become British dominions, then, whether the statute sufficiently declared that the Judges of the Supreme Court were to be Conservators of the Peace in the provinces, or not, it is certain that it did not constitute any other persons so as to preclude the Crown from exercising its prerogative of entrusting that duty to the Judges. The will and intention of the Crown upon this point was declared in very plain words in the fourth clause of the Charter; and the power there given (whether it was meant that there was to be any concurrent power or not surviving out of the old Mahomedan Government) was indicated, both by the words and by the nature and subject of the power, to be one which was to operate upon all within its sphere, without distinction of persons.

20. A second branch of authority and jurisdiction given by the Charter was that of hearing and determining all pleas, real, personal, or mixed, respecting things real or personal in Bengal, Behar or Orissa, and all pleas of which the cause should accrue against the East-India Company, or any of the King's subjects who should be resident within Bengal, Behar or Orissa, and against any other person who at the time of action brought, or cause of action accruing, should be directly or indirectly employed by or in the service

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of the Company, or any other subject of the King; and in cases in which the cause of action should exceed 500 rupees, against every other person whatsoever, inhabitant of India, and residing in Bengal, Behar or Orissa, who should agree in writing that in case of dispute the matter should be determined in the Supreme Court; and that in such cases it was provided, that if the suit should be brought in any of the Courts of Justice already established in the provinces, either party might appeal to the Supreme Court, which might by writ command the parties to surcease proceedings in the Provincial Court, and take upon itself the determination of the suit.

21. A third branch of jurisdiction was that of a Court of Oyer and Terminer for the town of Calcutta and factory of Fort William, and the factories subordinate thereto; and the Charter empowered the Court to try all crimes and misdemeanors committed within the town or factory, and the other factories, and to inquire, hear and determine, and award judgment and execution of, upon and against all treasons, murders, crimes, misdemeanors and oppressions committed in the provinces or countries called Bengal, Behar and Orissa, by any of the subjects of his Majesty, or any person employed by or in the service of the Company, or of any subject of his Majesty; and for this purpose to award and issue writs to the Sheriff to arrest and seize the bodies of such offenders, and to do all other necessary acts.

22. If these parts of the Charter, without a reference to those treaties or agreements which we have before noticed, had been strictly insisted upon and rigidly enforced, it seems to us that it might have been very difficult to maintain in law, that subsequently to the 13 Geo. III. c. 63, and supposing the provinces to have become in any manner dominions of the King, there could be any person domiciled within them, unless it might be the inhabitants of the European factories, who were not to be considered, for the time at least, subjects of his Majesty, and consequently, according to the words of the Charter, amenable to the Supreme Court, both in civil and criminal suits; but by an indulgent construction of the Act and Charter, in conjunction with the agreements which had been made by the Company with the native Princes, and by supposing that such parts and powers of the old Governments still subsisted as were not expressly superseded by the Statute or Charter, those who could be considered as living under the protection of the Nizamat or Mahomedan system of law and government over which the Naib Subah had presided, seem from the first to have been held, upon the grounds which have been already stated, to be exempted from the jurisdiction of the Supreme Court as a Court of Pleas and Court of Oyer and Terminer; but even these were held liable to be summoned and compelled to attend the Court as witnesses, and without such liability the Court would have been unable to perform many of the important functions expressly and unambiguously assigned to it by the Crown and the Legislature.

23. These complicated circumstances, of which we have endeavoured to present an accurate statement, could not subsist for any length of time in the indistinct form in which they were left, without disturbance. Those disputes and disgraceful contests, between the Governor and Council on the one side, and the Judges on the other, ensued, on which we wish to make only one observation, namely, that an impression has been created that the Judges greatly exceeded their authority as defined in the Act and Charter, but that we believe it will be found on examination that this was not the case, nor considered by the

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the Parliament to be so; and the Act of the 21 Geo. III. c. 70, in which it was found necessary to provide an indemnity for the unlawful resistance of the Court by the Governor and Council, and the Advocate-General, made no similar provision for the Judges. The misfortune appears to have been, that the Legislature had passed the Act of the 13 Geo. III. c. 63, without fully investigating what it was that they were legislating about; and if the Act did not say more than was meant, it seems at least to have said more than was well understood.

21. Some important enactments were accordingly made by the statute of the 21 Geo. III. c. 70, as to the powers and jurisdiction to be exercised by the Court in future. First, that the Court should not have any jurisdiction in any matter concerning the revenue, or acts done in the collection thereof, according to the usage of the country, or the regulations of the Governor-General and Council; and it was expressly declared to be expedient that the inhabitants of the provinces should be maintained and protected in the enjoyment of all their ancient laws, usages, rights and privileges; the Governor-General and Council were declared to be a Court of Record, which might lawfully hold all appeals from the Country or Provincial Courts in civil causes, with a further appeal to his Majesty in Council, in suits of which the value should be £5,000 and upwards; that the same Court of the Governor-General and Council should hear and determine all offences, abuses and extortions in the collections of the revenue, and punish the same at discretion, provided that the punishment did not extend to death, maiming, or perpetual imprisonment; and that the Governor-General and Council should have power to frame regulations for the Provincial Courts, which his Majesty and Council might disallow or amend; that no person should be subject to the jurisdiction of the Supreme Court by reason merely of his holding land, or collecting the revenue from lands held by him or under him, nor in any matter of inheritance or succession to land or goods, or ordinary matter of dealing or contract, by reason of his being in the service of the Company or the Government, or of any native or descendant of a native of Great Britain, but only in actions for wrongs, or upon special agreement in writing to submit the decision to the Supreme Court. The Governor-General and Council were exempted from the jurisdiction of the Court for any act or order done or made by them in their public capacity, unless it should extend to any British subject, in which case the jurisdiction of the Court was retained; the Governor and Council in other cases continuing to be responsible to Courts in England; and provisions were made for the parties obtaining, through the Supreme Court, copies of any orders complained of, and also having the evidence in India taken by the Supreme Court. Provincial Magistrates, as well natives as British subjects, exercising judicial offices in the Country Courts, were exempted from actions in the Supreme Court for wrong or injury, for any judgment, decree or order of their Courts, and the like exemption was extended to all persons acting under such orders; and in case of an intention to bring any information in the Supreme Court against any such officer or magistrate for any corrupt act, a certain notice was directed to be given before the party could be arrested or other proceedings could be taken against him. There was a proviso in the Act, that the Supreme Court should have full power and authority to hear and determine all and all manner of actions and suits against all the inhabitants of Calcutta, but that the inheritance and succession to lands and goods, and

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all contracts, should be determined by Mahomedan or Hindoo law respectively, where the defendant was a Mahomedan or Hindoo; that the rights of fathers and masters of families should be preserved; that nothing done according to the law of caste within the family should be deemed a crime; and that the process of the Court should be accommodated to the religion and manners of the natives.

25. It is deserving of remark, that in this statute, although the existence of the Provincial Courts for the determination of civil causes is noticed, and the Governor-General and Council are empowered to correct abuses in the collection of the revenue, by any punishments short of death, maiming or perpetual imprisonment, there is no Provincial or Country Court of Criminal Justice mentioned; and up to the time at least of that statute, the Supreme Court, as a Court of Oyer and Terminer, and the Court of Quarter Sessions, are the only ones recognized by statute as capable, in the Presidency of Fort William, of hearing and determining charges of crimes and misdemeanors against the law, other than abuses in the collection of the revenue. In fact, the present Nizamut Adawlut, and the whole system of Criminal Courts subordinate to it, have not been established by a power created by the Crown or Parliament; they are referred to in the last statute by which the Government of India was renewed, namely, the 53 Geo. III. c. 155, but they were established by regulations of the Governor-General in Council in 1793, in lieu of the Mahomedan Criminal Courts, over which the Naib Subah had presided; and they are a continuance of those Courts in a regulated form, not a new creation. In 1793, there had not been any power created by the Crown or Parliament, under which, except for revenue offences, the Indian Governments could establish Criminal Courts, subsequent to the Charter of the 10 William III.; and the powers of establishing Courts, given in that Charter, seem to have been entirely superseded by the Charters of 1726 and 1753.

26. Since the Act of the 21 Geo. III. c. 70, the jurisdiction which the Court possessed in Bengal, Behar and Orissa, has been extended over all the vast territories which are now under the Presidency of Fort William; and there have been several enactments affecting the Court in various ways, but it is not necessary to state them *seriatim*. The foundations of its jurisdiction have been shown, and it appears to us, first, that the Court has now the superintendence and control of the Commission of the Peace throughout every part of the provinces of the Presidency of Fort William, in the same way as the Court of King's Bench has it in England: that the power of Justices of the Peace is one which, for the most part, must of necessity be exercised without discrimination of persons, and that the superintending power of the Court is of a corresponding character: that as a branch of the power given to it by the fourth clause of the Charter, for the conservation of the peace, and for the kindred object of relief against oppressions which are immediately consequent upon breaches of the peace, the Court possesses and exercises the power of issuing writs of *habeas corpus*, to relieve from false imprisonment; that this power is not locally limited to the town of Calcutta, but is co-extensive with the superintending powers of the Judges, as supreme conservators of the peace; and that, inasmuch as British persons at least, and natives employed by the Company or the Government, or any other British persons, are liable to be sued in the Supreme Court for trespasses, or indicted for offences committed in the provinces, and that, for any corrupt

corrupt act, an information will lie against a judicial officer, whether native or European, there is no ground for saying that a writ of *habeas corpus* may not be directed to any of these, if the act complained of should include a continuing and subsisting false imprisonment. With respect also to the natives generally who reside in the provinces, under the Mahomedan law and the regulations of Government, it would be uncandid if we were not to admit, that before we saw the decision of the Privy Council upon the petition of Sir John Grant, we should have said, upon a mere question of legal construction, that the Court had a right to direct a writ of *habeas corpus ad subjiciendum* to a native for the purpose of relieving another native from false imprisonment, because we look upon this writ as a branch of the powers given by the fourth clause of the Charter, principally and especially for the conservation of the peace, and other objects closely connected with it; and conceiving that those powers must generally extend in law to all classes of persons, where they operate at all, we should have been at a loss to find any legal ground for restricting the use of that particular writ in a different way from the exercise of the other powers derived from the same clause and sentence of the Charter. At the same time we would wish it to be understood, that in such a case the statute of Charles the Second would be compulsory upon us, but that the application must be made under the fourth clause of the Charter, and upon the ground of our having a similar power to that which the Justices of the King's Bench have at common law; and as we should always have thought that in these circumstances we should have had to exercise some discretion, we do not conceive that we should have issued the writ upon the complaint of a native, against a native resident in the provinces, where there was any other lawful power competent and willing to afford more convenient relief. The decision of the Privy Council we receive with the utmost deference, and we are bound by law, and feel every inclination, to regulate our proceedings by it; but it is only the more necessary on this account, at a time when we understand that an Act is about to pass declaratory of the jurisdiction of the Court, that we should point out some questions of difficulty which might arise upon that decision. If a British person, especially a Justice of the Peace, or his assistants, should be opposed, and any of them should suffer false imprisonment from a native in the provinces, is the Court without power to relieve them, when if the party, being a British subject, should apply to the Government, and the Governor-General in Council should make any order in support of the native complained of, those at least who should act under the order would be liable to the jurisdiction of the Supreme Court, by the express reservation in the 21 Geo. III. c. 70, s. 3? The jurisdiction of the Court as a Court of Civil Pleas, since the statute of the 21 Geo. III. c. 70, extends, first to the hearing and determining of all manner of actions against the inhabitants of Calcutta; and on account chiefly of the innumerable difficulties which British persons would have to encounter in pursuing their claims in the Country Courts, this term "inhabitants" has been always understood to have been intended by the Parliament to comprise all who have dwelling-houses and carry on trade in Calcutta. Secondly, the Court has jurisdiction over all actions of a transitory nature, and all of a local nature, of which the cause arises in Bengal, Behar or Orissa, against any subject of the King residing in Bengal, Behar or Orissa, at the time of the cause of action accruing or action brought; or any person residing there, who shall have agreed in writing to submit the matter, in case of dispute,

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dispute, to the Supreme Court, and without any agreement, against any person in the service of the Company or of a British subject, for any wrong or injury; but the whole of this jurisdiction is subjected to the exception, that the Court is not to interfere in any matter arising out of the collection of the revenue; and the term "subjects of the King" is certainly now to be construed with a reference to the considerations before mentioned, and to the provisions in the statute of 21 Geo. III. c. 70, by which it was declared that the Mahomedans and Hindoos in the provinces were to have their own laws, and that there were Courts for the administration of them in civil cases, from which the appeal lay to the Governor-General in Council. The jurisdiction of the Supreme Court, as a Court of Oyer and Terminer, is established, first, throughout certain places within which it operates without any distinction of person. In practice, these have for many years been considered to be contracted to the limits merely of the town of Calcutta; originally they comprised, according to the words of the statutes and charters, at least a surrounding district and all the outlying factories; and it is not free from uncertainty what they legally are now. Chinsurah in Bengal, and Penang, Singapore and Malacca, stand, in this respect, in a very singular predicament at present, which will be easily understood by a reference to the statutes which provided for the Dutch possessions that were ceded in 1824 being transferred to the Company, and when the fact is adverted to, that the Presidency of Prince of Wales' Island has been recently abolished by the Directors, and that the places of which it consisted have been made dependencies of Bengal; but that there is still a Charter of Justice for the Presidency uncanceled, but under which there is nobody in India now who is authorized to act. Secondly, the Court of Oyer and Terminer has a power of trying all offences committed by his Majesty's subjects, or any person employed by them, within the Presidency, or by any of his Majesty's subjects any where between the Cape of Good Hope and the Straits of Magellan; but in this instance also the term "subject," it seems, is to be construed with nearly the same restrictions that have been noticed in speaking of the jurisdiction as a Court of Civil Pleas, although, as it has already been observed, the Criminal Courts in the provinces are not founded upon parliamentary enactments. By the recent statute of the 9 Geo. IV. s. 7, 8, 56, 70, provisions are made, without any distinction between native and British persons, for the trial by the Supreme Courts of particular offences, whenever the offender is apprehended or found within the jurisdiction of the Court, although the offence may have been committed elsewhere. In cases of Hindus, however, the Court is forbidden by the 21 Geo. III. c. 70, s. 18, to treat as a crime anything which is done within the family of the party according to the law of caste; and the same statute, by the 8th section, seems to prohibit the Court, in its capacity of a Court of Criminal Justice, no less than as a Court of Pleas, from having any jurisdiction as to anything done in the collection of the revenue, according to usage or to the regulations of the Governor-General in Council. It is not necessary to state over again the powers which are to be exercised by the Court in assistance of the superior Courts in England, or of proceedings in Parliament; but we wish them to be borne in mind, more especially for the purpose of showing the necessity which there is, if these duties are required from the Court, that its process for the procuring of witnesses and other purposes should be effectual in all parts of the provinces.

provinces. This necessity indeed is found equally in the exercise of its jurisdiction as a Court of Pleas and a Court of Oyer and Terminer; and without a power to take lands, as well as the persons and goods, of those who are liable to be sued in the Court, its judgments in many cases would require to be aided by the Government or the Courts established in the provinces; and to make that aid effectual, it must not be precarious, but a matter of right. These observations, however, are applicable chiefly to the supposition of the Court continuing as at present constituted, and would require modification if the alterations recommended in the latter part of this letter should be thought deserving of attention. There are other statutes, however, of later dates than those already mentioned, which have created additional occasions for the exercise of the powers of the Court in the provinces; as, for instance, in taking evidence upon divorce bills in the House of Lords; and the 26th Geo. III. c. 57, presents cases in which the Court would have to enforce, in any part of the Presidency, by exchequer process, the execution of judgments obtained in England. In addition also to these branches of jurisdiction, though it is necessary to abstain from stating them at length, it must not be forgotten that the Court has extensive powers, which must be exercised in the provinces as incident to its other jurisdictions, especially that of a Court of Equity, and that of a Court for the relief of Insolvent Debtors.

27. Such, as far as we can conveniently state it in this letter, we conceive to be at present the power and jurisdiction of the Court according to law. We have next to advert to various circumstances which in some respects obscure, in others impede its powers, and in many make it doubtful whether the exercise of them be productive of good or evil.

28. It is obvious that the jurisdiction, as it exists, is essentially of a very peculiar character, and that many difficulties are inseparably connected with it. It is an exclusive personal jurisdiction as to a particular class, thinly scattered over a wide extent of country, amongst a dense population, who are considered to be themselves, for the most part, exempt from the jurisdiction, and to live under a very different system of law. In every part of these territories, nevertheless, the process of the Court must be enforced, and even lands must occasionally be seized and divided, or sold, although there is an absolute prohibition against the jurisdiction being exercised in any matter of revenue, which revenue is in fact a share, and a very large one, in every parcel of land throughout the Presidency.

29. These difficulties are aggravated by an obscurity which has been permitted to hang about the relations in which the Indian territories and the Company stand to the Crown and Parliament. Our own view is plainly and simply that the bulk of the Indian territories must be considered as having been annexed by conquest and cession to the Crown of the United Kingdom, but subject, of course, to the observance of all treaties, capitulations and agreements, according to the real intent and meaning of them, which have attended any cessions, and which still continue in force: that to a certain extent British law has been introduced; but that, on the other hand, a very large portion of the old laws of the country have been left standing, but under the administration of British persons, the leading distinction being, that British law and British Courts have been introduced for British persons, and Mahomedan Courts and law permitted to remain for Mahomedan and Hindu persons; and these laws and Courts have been subsequently modified

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modified by certain legislative or regulating power, which itself also was a continuation of the old legislative powers of the native Governments, though it has been to a certain extent recognised and modified by Parliament. The sovereignty of the Crown of the United Kingdom we hold to be fully established throughout the provinces annexed to the Presidencies; and as an incident of the sovereignty, that the King in Council has in some cases the actual exercise, and in all the right of deciding upon appeals in the last resort, and of superintending the administration of justice: that the Imperial Parliament has as absolute a right of legislating for all purposes as in the United Kingdom itself; but that the East-India Company, being from a long train of circumstances the most convenient depository and organ of the powers which it is necessary to exercise upon the spot, have had the Government principally entrusted to them; and being thus put in the place of those parts of the old Government by which the ancient and still subsisting laws and legislation of the country were wont formerly to be carried on, they exercise, through Governors in Council and their officers, not only the functions distinctly assigned to them by the Crown and Parliament, but some powers also in the administration of justice and in legislation, which, as we have already explained, are not, strictly speaking, derived from Parliament or the Crown, but are portions of the old institutions, which have been permitted by the Crown and Parliament to continue, and have been by Parliament entrusted, for limited periods, to the management of the Company, and recognised as subsisting in their hands. It is only upon this point that we believe any positive difference of opinion exists as to the nature and relations of the Indian Government, and we would fain believe that this is rather verbal than real, and subsists only through misapprehension. In adverting to it, we are anxious to guard against the supposition of our having encountered any difficulty from its being entertained, or even of our knowing it to be entertained, by any of those with whom our duties have brought us into intercourse. But amongst those who have treated of the rights of the Company, some certainly speak of the Company as having "*succeeded*" to these powers of the old native Governments, and seem to found a certain claim of right upon this notion of succession; whereas we conceive that, although to a certain extent the Company does hold the place of the old Governments, it is not by any succession as distinguished from acquisition, but that having been the instruments and agents of conquest, or the means through which cessions have been obtained, and having come into possession in that way, they have been permitted to retain it for a certain term by the enactments of Parliament. We may perhaps be in error in supposing that any consequence is attached to this distinction; the subject, however, has been so little brought forward, that the circumstance of the Crown and Parliament having exercised little or no control over some parts of these judicial and legislative powers, has been followed by an indistinctness of apprehension as to the real nature of them. The President and Board will remember, that it has heretofore been made a question, whether the Company had not what has been called, in terms not very easy to be understood, a delegated sovereignty; at other times it has been alleged that the Mogul Emperor still retained a formal and nominal sovereignty; some have suggested doubts whether the continuing possession of the Company, notwithstanding its being a creation of the British Crown and Parliament, is not a proof that the Indian territories have never yet been reduced into possession by the

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the British Crown. It cannot be necessary to show in detail that any doubts, wherever they may exist, or by whomsoever they may have been stated, upon such points as these, must be a source of embarrassment to Judges, who have to issue process and execute judgment in the King's name in all parts of the provinces; who may at any time be called upon to ascertain the rights in India, not only of British persons, but of the subjects of the Christian Powers in amity with the British Crown: and who in law are supposed to have the control throughout all parts of the Presidency of the Commission of the Peace. Questions arising out of the most important statutes, such as the Navigation and Registry Acts, the Mutiny Acts, and others, exist in an undecided state, and are scarcely prevented, but by management, from being brought forward for decision, which, whenever it is called for, must turn mainly upon the species of relation in which the Indian territories stand to the United Kingdom. Some of the most important regulations of the Indian Governments have been made without the direct or express authority of Parliament, and are most easily justified as being the exercise of the old legislative powers of the former Governments, not superseded, and therefore continuing to subsist. Many of the regulations about 1793 were of this description. The imposition of taxes in the provinces is perhaps an instance; and it is a power which might come to be a subject of serious discussion, and, if British persons were to be admitted to hold lands throughout India, of vital importance.

30. An offspring of the uncertainty alluded to in the last section, is the peculiar use which has been affixed to the terms "British subjects" in the Statutes and Charters relating to India; a source of difficulties to the Court which daily increases. The corruption of the legal signification of these important terms seems to have originated in the difficulty which was felt in getting over the provisions of the 13 Geo. III. c. 63, and of the Charter of Justice, by which the English laws were, in words, extended in these provinces to all his Majesty's subjects. The Directors, in their letter of the 19th November 1777 to Lord Weymouth, asserted that the natives were not British subjects: but notwithstanding all the difficulties of the times, and that the Ministers were pressed by the calamities of the American war, this point was not acknowledged, even in the statute of 21 Geo. III. c. 70; though expressions and clauses were allowed to be introduced in the statute, from which the result has been, that it is impossible to say who were and who were not meant to be designated by those terms. Subsequently, as the British Government in India proceeded in organizing the judicial system for the provinces, including Criminal Courts, it became necessary that they should describe the natives as subjects at least of the British Government, and as owing allegiance to it. Under all these circumstances, if the question had been mooted in any English court of law, there would have been some difficulty in maintaining that the natives did not, at any rate, fall under the terms "subjects of his Majesty," whenever these words occurred in statutes relating to India. A direct decision upon that question, however, has been avoided; and to meet the difficulty, and with a view perhaps to other consequences, a distinction has been set up between "British subjects" and "subjects of the British Government;" and it is maintained, that generally where the term "subjects" occurs in the Indian statutes, it means "British subjects," and does not include those who are only subjects of the British Government. There is no stable nor sufficient foundation provided for

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this construction at present ; for whatever restrictions the Parliament may think it right at any time to put upon their rights as subjects, it is certain that if the case of the Post Nati of Scotland, and that of *Campbell v. Hall*, are of any authority, and if the Indian provinces have become British dominions, all who are born within them are British subjects according to English common law, even though the Indian territories should be so far a distinct realm as to have a separate but subordinate right of legislation, and of holding Courts for the administration of justice. The distinction between British subjects and subjects of the British Governments in India has never, we believe, been formally declared in any Act of Parliament, but depends upon an ill-defined supposition of the continuance of the Mahomedan laws, and upon inferences to be drawn from the use of the terms " British subjects " in several statutes and charters relating to India, especially the 21 Geo. III. c. 70, and the Charters of the Madras and Bombay Courts, and upon a fluctuating usage ; so that it is quite impossible to say, with any just confidence, who they are who belong to the one class, and who to the other. It seems to be agreed indeed that the terms " British subjects," as they must necessarily include all persons born in Great Britain, or whose fathers or paternal grandfathers have been born there, so they do not include any Mahomedan or Hindu natives of the Indian provinces, who are not inhabitants or natives of Calcutta, Madras, or Bombay, or any other place distinctly recognized as a British settlement or factory : but between these two extremes there are many doubtful classes. Even the Irish would not necessarily fall under the terms " British subjects," as used in 21 Geo. III. c. 70, s. 10. It is understood that the lawyers of the East-India Company have affirmed, that persons born in the British colonies are not, according to the use of the term in the Indian statutes, " British subjects," by reason of their birth-place, nor unless they are descended from a British-born father or paternal grandfather. The natives of Jersey, Guernsey, and Alderney, have not so strong a claim as these Christian persons born in Calcutta, Madras and Bombay, but not resident there ; and Hindus and Mahomedans, under similar circumstances, are liable to still more cogent doubts. Do either Hindus and Mahomedans, or Indian Christians, born in the provinces, or Christian foreigners, become temporarily British subjects while domiciled in Calcutta, Madras or Bombay, so that for offences committed beyond the boundaries they would still be amenable only to the Supreme Court ? Are the native Christians, or the subjects of Christian princes in amity with the Crown, who may reside in the provinces, to be classed with the Mahomedans and Hindus, or with British subjects ? What is the effect of the subsisting treaties with France or other Christian States, in this respect ? These and many similar questions do every now and then arise, and it is only by perpetual contrivance that they are prevented from becoming more troublesome. The Statutes and Charters relating to India present various applications of the terms in question ; and in several important instances the term " subjects " is used by itself, and it is mere speculation and controversy whether the adjunct " British " is to be understood or not. These distinctions are the more perplexing, because the continuance of the Nizamut, which afforded some sort of explanation of them in Bengal, Behar and Orissa, cannot be alleged in respect to other parts of India, many of which have come under the sovereignty of the British Crown without leaving even a shadow of any former sovereignty lingering behind, and by a course of circumstances which present no alterna-

tive but that persons born there must be subjects of his Majesty in right of the British Crown, or subjects of nobody at all.

31. The circumstance which perhaps more than any other has contributed to make the jurisdiction of the Supreme Court inconvenient, and which is always brought forward as marking its unfitness for the duties assigned to it, is not a vice of its original constitution, but the improvident addition to its jurisdiction of all the immense territories which have been subsequently added to the Presidency of Fort William. It was not perhaps impossible that the Court might have been made competent to exercise an effectual and salutary jurisdiction throughout all Bengal, Behar and Orissa, which comprise the whole space to which its powers at first extended; but it never could have been made convenient by any ingenuity of legislation, that its powers of original jurisdiction should be exercised even as to British persons throughout the present Presidency of Bengal, of which some parts are a thousand miles distant from it, and where the means of communication are not to be supposed the same as in England; and as there has been an inclination rather to compress the powers of the Court, than to develope and assist them, it may easily be conceived that when called into exercise in a weak and shackled state, in so vast an area, they are at once ridiculously impotent, and yet very much in the way.

32. It appears to us to be matter for regret that there has never been any plan avowed and distinctly laid down for the gradual assimilation and union of the two systems, which it was necessary at first, and to a great extent is still necessary to maintain, for the British and the natives respectively. In 1773 there seems to have been at most only a temporary obligation to preserve any of the Mahomedan forms of government, and they have by degrees been almost obliterated, but what has come in place of them rests partly on the old basis, and there are still two systems, scarcely less adverse than at first, working with discordant action in the same space. Nothing would be more unreasonable than to attempt to impose upon India generally the British laws as they exist in the United Kingdom, or even in Calcutta; but we are confident that before this time, if there had been a hearty co-operation of all parts of the Indian Governments, one uniform system, not English, yet not adverse to the constitution of the United Kingdom, might have been established in some provinces, to which both British persons and natives might have accommodated themselves, and which would have been fitted at future opportunities to be extended to other districts. This would have been done if the whole legislative and judicial powers of Government had been under one controul; but this has never been the case. The regulations of the Government for the provinces, and civil causes tried in the Provincial Courts, where the matter in dispute is of a certain value, are nominally subjected to the controul of the King in Council, as much as regulations which are registered in the Supreme Court, or causes heard there; but it is scarcely more than in name that this exists; and with the exception of a few appeals in civil cases, it may be said that the legislative and judicial functions of the Indian Governments in the provinces, extensive and active as they are, are exercised under no other controul than that of the Directors and the Commissioners for the Affairs of India, whilst the administration of law for British persons in India is, in theory, independent both of the Indian Governments, the Directors and the Board, and British subjects who choose to abide at the seats of Government cannot be directly subjected to any legislation but that of Parliament, or regulations registered

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tered in the Supreme Courts. In these circumstances it has naturally been the inclination of those who have the principal influence in Indian affairs, to build separately upon the foundations of that system which is most subjected to themselves, and as it were belongs to them, rather than to bring the remains of the old institutions of the country into any subordination to Courts established upon the basis of Parliamentary enactments, and in many respects certainly ill adapted to the circumstances of the country. Thus two principles of government have been maintained in a sort of struggle with each other, which thwarts and weakens each, and is not in any way advantageous to either. If one of them was to prevail, even to the exclusion of the other, the result must be an interference of the Imperial Legislature to reduce the Indian territories to their true relation with the United Kingdom, that of distinct but entirely dependent dominions, with peculiar though not adverse laws, separate, but entirely subordinate powers of internal legislation, and an administration of justice always liable in all its branches, if not actually subject to the superintendence and controul of the King in Council, or some other Courts of the United Kingdom, or at least of some Court constituted by the Crown. Why should not the most convenient district that can be named in these vast territories be set apart for the purpose of forming, upon this basis, one harmonious system, suited to all classes of persons, and compounded of the two jarring ones which at present divide the people, debilitate the administration of justice, and harass the Government. It has been said, that this is only selecting a part of the mass for the purpose of making experiments upon it; but as every body seems to be agreed that something must be done, we suppose they mean that some experiments must be made, and we seem to differ from those who are adverse to the selection of one province, principally in this respect, that we think it wiser to attempt the introduction of a better system upon a small scale at first, and in that place only, where all the force of Government may be most readily applied in its support, and where its progress will be most immediately subjected to the presence and inspection of those who must direct it.

33. The next head of difficulties is one of which we feel considerable difficulty in speaking. But our motives and the necessity of exhibiting the whole of the case, must be our excuse for saying that some of the inconvenience to which the Court is subjected, and some of which it is the apparent cause, are attributable to the imperfections of the Acts of Parliament and Letters Patent, under which it has to act, or by which it is affected. It would seem as if either from the intricacy of the subject, or an apprehension that difficulties would be encountered in Parliament when modifications of the powers of the Supreme Court have been desired, they have been sought, not by positive and plain enactment, but by the introduction of something in an Act or Charter, which without being likely to excite too much discussion at the time, might nevertheless be available afterwards, as showing an intention on the part of the legislating power to make the required provision. Nothing can be more vague in most respects than the important statute of 21 Geo. III. c. 70; it provided that persons should not be subject to the jurisdiction of the Court for this or for that reason, but left it nearly as open to argument as it was before, whether all those must not be held liable who could be shown to be subjects of his Majesty; it left in the hands of the Government powers of general legislation, and of life and death, which it did not notice, while it specifically imparted to them limited powers

powers of making regulations, and inflicting, in certain cases, punishment short of death. It employed the terms "British subjects," and "European British subjects," in such a manner, that it is impossible to say what was really meant by them; it expressly left to the Supreme Court the determination of all suits respecting the lands of certain classes of the natives, yet forbade it to interfere in matters connected with the revenue, which is a part of all lands throughout all India; and finally, it made certain provisions for registration which were palpably impracticable from the first, and were scarcely attempted to be carried into execution. We would rather not go through the invidious task of pointing out the indirect and inconclusive, but not therefore inefficient provisions of later statutes; but we can scarcely avoid to notice some of the variations which have been made in the Charters of the Supreme Courts at Madras and Bombay, and the doubts and difficulty which arise out of them. The Acts of Parliament which directed the issuing of these Letters Patent, provided that they should confer the same powers on the new Courts as those which were possessed by the Court at Fort William; but notwithstanding this, the powers granted are very materially different. To pass over the differences as to the appointment of Sheriffs, and the admission of barristers and attornies, it will be found, that in the definition of the jurisdiction of the more recent Courts, their powers are generally restricted to such persons as have heretofore been described and distinguished by the appellation of "British subjects," whereas, as it would have seemed to us, the powers which the Justices and the Court were to possess in the provinces as Conservators of the Peace, and as presiding over the commission of the peace, whether the criterion of their extent was to be the extent of those granted to the Court at Fort William, or the possibility of their being used to any good purpose, must be exercised, if exercised at all, without distinction of persons. Again, the Bombay Court is prohibited from interfering in any matter concerning the Revenue, even within the town of Bombay, which is directly opposed to the 53 Geo. III. c. 155, ss. 99, 100. Then all natives are exempted from appearing in the Courts at Madras and Bombay, unless the circumstances be altogether such as that they might be compelled to appear in the same manner in what is called a Native Court. This would for many purposes place the Court entirely at the disposal of the Government, who regulate the usages of the Country Courts as they please; and whether any suit arising beyond the limits of the towns of Madras and Bombay should be determined at all, or whether any offence committed there should be punished by the Court, or whether it should be able to collect evidence in aid of any proceedings in England, would come to depend entirely upon the pleasure of the Government. Whether this would be right or not, is not the question: it is inconsistent with the duties assigned to the Courts by statute. In the clause which purports to define the Admiralty jurisdiction of the Courts at Bombay in criminal cases, its powers are restricted to such persons as would be amenable to it in its ordinary jurisdiction, which is again at variance with the 53 Geo. III. c. 155, s. 110; if it is to be understood from this passage in the Charter that the jurisdiction was meant to be limited to such persons as have been described as British subjects; but it is not very clear what is to be understood by ordinary, as opposed to any extraordinary jurisdiction of the Court. This indeed is another species of the defects which we are noticing, namely, that limitations of the jurisdiction have been thus introduced by allusion rather than plain declaration. In one way or another, sometimes by the

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the mention of some qualification of the powers of the Court occurring in an Act or Charter, which has been afterwards insisted upon as a recognition; sometimes by a vague recognition of counter institutions which have been already set on foot without any express authority, and which afterwards, upon the strength of the recognition, are amplified and extended; sometimes by the jurisdiction of the Supreme Court being stated in such a way as to leave it to be inferred that the *expressio unius* is the *exclusio alterius*; sometimes by provisions which, to persons unacquainted with India, may have appeared to be of little consequence, but which in reality involve a great deal; sometimes, when Parliament has provided that new Courts should be established upon the same footing as the old one, by something being accidentally mixed up with the constitutions of the new Courts, which is essentially different from the old, and would be destructive of their efficiency: in some or all of these ways, the Supreme Courts have come to stand at last in circumstances in which it is very hard to say what are their rights, their duties or their use.

34. Though we attribute the principal imperfections and inconvenience of the Supreme Court to the sources which we have described, we have already intimated that there were inherent and almost insuperable difficulties connected with its original constitution, and the circumstances with which it has always had to deal; and we by no means intend to assert that there have never been any faults on the part of those by whom the business of it has been conducted. The application of the forms of British law to the settlement of differences amongst the Hindus and Mahomedans, even of Calcutta, is full of difficulty. The Hindu laws, especially, are one of those ancient systems which the history of the world shows to have existed, in a certain stage of society, all over Asia and a great part of Europe, and of which the main spring was the influence of the priesthood. When this is removed, and laws, which were calculated to be enforced by persuasion, by sacerdotal influence, or religious awe, have to be exercised by means of English Courts and lawyers, and the legal process of writs of execution, it is scarcely possible that the machinery should work well. This remark is peculiarly applicable to the family quarrels of the Hindus; but the inconvenience, great as it is, seems to be necessarily connected for a time with the marvellous position in which England is placed in relation to India. The ordinary state of a Hindu family in respect of property is that of coparcenery between all the males, but any one member has a right to claim a partition. Upon the death of a Mahomedan, his property, including land, is shared amongst his relations, according to peculiar rules, which make it necessary for the purpose of calculation, to subdivide it into minute portions. The mode of settling all cases of this kind in the Supreme Court is by suits in equity, and it may easily be imagined that trouble, expense and delay must attend such proceedings, in which innumerable papers and accounts of many years' standing, in three or four languages, must be produced, translated, given in evidence and investigated, and in which, after all the other difficulties have been overcome, the decrees of the Court, including partitions of interests in land, and consequently the inspection, admeasurement, valuation and allotment of the lands, are to be carried into execution by the European Officers of the Court in the provinces, where the uncertain interests of many parties not included in the suit are involved in the same parcels of land, where the Court is prohibited from interfering in any way with a revenue which is intimately and inextricably

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inextricably mixed up with every piece of land, and where the Court is also regarded somewhat in the light of an intruder, or at best a necessary evil, by the civil servants of the Government by whom the provinces are managed. Add to this, that when once dissension has arisen in a native family, nothing can exceed the perverseness with which their disputes are carried on. The object is not to obtain their rights, but to ruin each other. Sometimes they will make a truce for years, and then revive their contentions with fresh zeal. At all times they are represented to be difficult to deal with as clients, and from understanding imperfectly the proceedings of an English Court, to be obstinate and suspicious. Besides, it cannot be expected that any class of the professional persons by whom the business of the Court is to be conducted should, in general, be quite equal, in all desirable qualifications, to those who exercise corresponding functions at home. We make no exception in this remark, even of the highest offices; but we have in view principally the conduct and management of suits under circumstances which are much more difficult, and much more opposed to an accurate and beneficial exercise of the legal profession, than any that occur at home. In almost all suits for partition amongst native families there is another and monstrous difficulty, from the Court having to regulate the disposition of large funds appropriated to the superstitious uses of their religions. Again, some of the longest, most intricate and expensive suits in the Court have been occasioned by the charitable or religious bequests of Christians of various sects. In some of these the Supreme Courts have been called upon to apply money to the benefit of Roman Catholic Establishments at Goa, in others to Greek or Armenian Churches on Mount Lebanon. A commission has been prayed to inspect the records of the Vatican. One highly important case, which long has been and still is before the Court at Fort William, and which, there is little doubt, will ultimately come before the King in Council, presents the following circumstances: A Frenchman by birth, professing no religion but Deism, and who had for some time resided, and at last died at a very advanced age, in the territory of Oude, which is, according to treaty, the dominion of an independent Mahomedan king, leaves great wealth, a part of which is in land. Some of the property, at the time of the death, is within the kingdom of Oude, and some within the presidency of Bengal, and some is vested in the public securities of the British Government. By his will he bequeaths legacies to relations in France, and gives pensions for life to a set of native concubines and servants in Oude; makes large charitable bequests to the city of Calcutta, and the city of Lyons in France, involving the establishment of public schools; and directs also the establishment of what he calls a college, but which is to be connected with a sort of caravanserai, where his tomb is to be kept lighted and watched, in the Foreign and Mahomedan capital of Lucknow; and, after providing for all these, there is likely to be a residue, to which, when they can be found out, the next of kin of a man who had left France in a state of poverty sixty years before, and who had no kindred in India, are entitled; and there is landed property in Calcutta to which his heir-at-law, when discovered, may have a claim; and this heir, according to the English law, is not one of the next of kin, who are only of the half blood. The case is not brought into the Court until the assets have been many years in the hands of a mercantile firm, and are involved in a maze of accounts; once brought before it, however, the Court cannot decline to proceed, yet it is only enabled to proceed

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in respect of the public charities, at the instance of the Advocate-General of the Company, whose official relations are, in some respects, calculated to retard his motions. When such circumstances may occur, and when it is recollected that the Court has no less than seven jurisdictions combined, as a Court of King's Bench, a Court of Civil Pleas, a Court of Oyer and Terminer, a Court of Admiralty, a Court of Equity, an Ecclesiastical Court, and a Court for the Relief of Insolvent Debtors, it will not perhaps be thought very surprising if complaints against it should sometimes arise out of the suitor's disputes. Except, however, in equity cases, there is no ground for any complaint of tediousness in the determination of suits; nor even in equity is the delay to be ascribed to the fault of the officers of the Court. There are no arrears in the Court in any of its departments, and there scarcely ever have been any. The heaviness of the costs in some equity suits, we have no doubt, is a great evil, though perhaps not greater than in England; and it will not be found to arise so much out of any particular fees, as from the misconduct or miscarriage of the equity suits, attributable, in a great degree, to the difficulties which we have noticed, but arising partly no doubt, in some cases, from the inattention or unskillfulness of professional men, and still more perhaps from the waywardness and unmanageable character of the native clients. If we were called upon to devise a remedy for such evils, upon the supposition of the continuance of the present constitution and jurisdiction of the Court, we do not know that we could suggest any other than a reform of the system of equity pleading, a settlement of all bills of costs at stated periods of the year, by the Judges themselves, accompanied by a judicial inquiry into the conduct of each suit, and a division of labour and allotment of business amongst the Judges, by which a more rigid discipline, if we may use the expression, in the conduct of the whole business of the Court might be enforced.

35. We have now, however, in pursuance of the wish expressed in your letter, to submit to the consideration of the President and Board some larger views of the arrangements which, in our opinion, would best conduce to the attainment of the objects for which the Supreme Court was constituted. If we should appear to bring forward any considerations which may be thought to belong rather to general policy than to law, we trust it will be perceived that this is not done to any greater extent than is necessary for the purpose of explaining the remedies which seem to us to be required for the evils that have been adverted to in the former part of this letter, and are strictly a part of the subject respecting which we are called upon to speak. We are sensible, however, that we run the risk of suggesting what may be at variance with views already formed, or with transcendent considerations of general policy, of which we have no information. This is a disadvantage for which we have no other help than to beg that what we offer may be received as it is offered, in the light of very humble suggestions, tendered with much distrust of our own judgments, and with no other desire than to assist his Majesty's Ministers, as far as we can, in arriving at just conclusions of what is best to be done. Our observations are made upon the supposition that India will remain under the government of the Company, subject to the control and regulation of the Crown and Parliament in all affairs of government, whether executive, judicial or legislative.

36. It appears to us to be desirable that all the territories which are permanently annexed to any of the three Presidencies, and in which justice is administered and the Revenue

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Revenue is collected by officers of the British Government, should be declared, in the most unambiguous manner, to be dominions of the Crown of the United Kingdom; that all persons born within the same are subjects of that Crown, owe allegiance to it, and are entitled to protection from it; and that all persons residing there owe that temporary allegiance which would be due from them, if resident in any other dominions of the Crown. But this, perhaps, is a step which would not be taken by the British Parliament, if it were to be considered as securing to the countless population of India the rights of natural-born British subjects. If the legislature should not be satisfied by that exclusion from certain rights, to which all the unchristian natives would be subject, as the law now stands, it might be necessary to enact, that the natives of the British territories in India shall not, by reason merely of their birth-place, be entitled, when resident within the United Kingdom, or any of the dominions of the United Kingdom other than the Indian territories, to any rights or privileges as subjects, beyond what would be allowed to the subjects of friendly foreign states, and that they shall be distinguished by the name of Indian subjects of the Crown of the United Kingdom, with a proviso, that all persons born in India, whose fathers or paternal grandfathers shall have been British subjects, and all other persons who, according to law, would be natural-born British subjects, if born in any foreign state, shall equally be natural-born British subjects, if born within the British territories in India. If such provisions would have the effect of depriving any classes of the Indian natives of rights to which they may at present be entitled as natural-born British subjects, the distinct acknowledgment of their being at least subjects, and entitled to protection, and the foundation which would be laid by the provisions hereinafter mentioned for their enjoyment, in a part of India, of legal rights, would appear to us to be more than an adequate compensation for any thing which could be justly said to be taken away.

37. That a certain district round Calcutta should be distinguished by the name of the Province of Calcutta, and that for the government of this district there should be, to a certain extent, a separation of the executive, judicial and legislative powers, by means of a Legislative Council, and a Court of Appeal or Council of Judicature being added to the existing political body of the Governor-General in Council. Within this province all subjects of the Crown of the United Kingdom, as well British as Indian, without any distinction, should have the right of purchasing, holding and inheriting lands, and the laws throughout that district should be rendered as inviolable, and the administration of justice as regular, and the security of person and property as perfect, as possible. We do not mean that the English laws should be established, but that, subject to certain restrictions, a system should be adapted by the Legislative Council to the whole circumstances in which the province would be placed. It seems to us that the Delta of the Ganges, or in other words, the territory lying between the western or right bank of the Bhaugiruter and Hooghly rivers, and the eastern or left bank of the main stream of the Ganges, would be a district, at present, of convenient size, and the best situated for this purpose.

38. It might be declared that all the rest of the territories of this Presidency, although they be the dominions of the Crown, and the inhabitants be subjects thereof, yet by reason of their magnitude and great population, and the various customs and habits of

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the people, and the intricacy of the landed tenures and other circumstances, they cannot, for many years to come, be adapted throughout their whole extent, to an equally regular system of government, and for these reasons the whole government of the same might be declared to be vested as before in the Governor-General in Council, subject to the former restrictions and qualifications; and it might be provided, that whatever persons should choose to abide in, traverse or enter the said territories, should be to all intents and purposes liable to the laws and regulations in force there, and to the authority and powers of the Governor-General in Council, in like manner as any of the Indian subjects of the Crown would be, and that neither the Supreme Court nor any of the other Courts established or to be established within the Province of Calcutta, should have any jurisdiction whatsoever, or exercise any authority, powers or process whatever, within any of the said territories, other than such as hereinafter are expressly and particularly mentioned, but that in all other cases whatsoever when it should become necessary for giving effect to any decree, judgment or order of any of the said Courts, that the lands, goods or body of any person should be seized and taken upon any mesne or final process within the said territories, it should be done by such ways and means, and in such manner and form, and according to such regulations, as should be provided for that purpose by the Governor-General in Council. Upon the great question, whether British persons should be allowed to hold lands in the provinces, we should say, that if they would be contented to take the privilege upon the terms above stated, it might be granted. It seems to us that the necessity of the case requires, as to the greater part of the provinces, that the Governor-General in Council must have legislative, judicial and executive powers, subject to no control but by the superior authorities in England; but if Parliament, clearly understanding and being prepared to adhere to this, should choose to put all the subjects of his Majesty, of whatsoever description, upon an equal footing in the provinces, we should not apprehend any serious danger to the State, nor any oppression of the natives, which the Government would not be able by a stern exercise of its power to restrain. But there are two things which it does appear to us to be highly desirable to guard against in any general admission of British persons to the provinces: First, that of giving rise to a delusion that there are the means at present of establishing and enforcing good laws throughout all India, in such a manner that it might be advantageous to British persons to purchase landed estates throughout the provinces. Secondly, the leaving an opening and pretence for subsequent irritation and clamour on the part of British persons so admitted to the provinces, upon the ground of their not enjoying there the rights of English law. If the provinces are to be opened to them, let it be universally understood, so that no doubt may remain, nor any ground for subsequent reproach, that they go to live under a despotic and imperfect but strong government, that they carry with them no rights but such as are possessed there by the natives themselves, and that it is impossible at present to give them either that security and easy enjoyment of landed property, or those ready remedies for private wrongs which more regularly constituted governments afford. A tolerable system of criminal judicature, we believe, might even at present be established throughout the greater part of India.

39. The Supreme Court, besides being restricted from exercising within the territories lying beyond the boundaries of the province of Calcutta, any other jurisdiction than such  
as

as is hereinafter expressly mentioned, might likewise altogether cease to be a Court of original jurisdiction within that province, except in the cases hereinafter expressly and particularly mentioned, and the authority, powers and jurisdiction of the Court might thenceforth be as follows: First, that within and throughout the province of Calcutta, it should have a complete superintendence and controul over all other Courts and Magistrates. Secondly, that no sentence of death by any other Courts of the province should be executed without the warrant of the Court, and that it should have an original and exclusive jurisdiction as to all those offences which, for distinction, are called offences against the State, and are of a treasonable or seditious nature, committed within the province of Calcutta. Thirdly, that it should have an original jurisdiction as a Court of Chancery, as to all conveyances or devises of land, or gifts or bequests of money for charitable or religious purposes, or other permanent public objects. Fourthly, that it should have an original Admiralty jurisdiction as to all crimes maritime punishable with death, and that the King's commission of Vice-Admiralty for the trial of prize causes should be directed to the Judges of the Court. Fifthly, that it should be, in all cases, a Court of Appeal from the Courts of the province of Calcutta. Sixthly, that it should be lawful for the Governor-General, by commission, to authorize and empower any one or more of the Judges to exercise any judicial function, either original or upon appeal, or by way of inquiry, within the territories lying beyond the boundaries of the province of Calcutta, and respecting any matters arising within the same, whenever the importance and exigency of any case might require it.

40. That a Legislative Council should be established for the province of Calcutta. Our views as to the formation of such a Council have been already stated in a communication made to the Governor-General in Council on the 2d of October 1829, and in a draft of the heads of a bill which we have subsequently prepared by the desire of the Government. We would only add here, that consistently with the scheme presented in our present letter, the right of legislation of the Council would be restricted to the province of Calcutta, but that it might be employed for the other territories whenever the Governor-General in Council should think it expedient. We wish it also to be distinctly understood, that we should propose that the Governor-General should have the right of presiding in the Legislative Council, and that nothing should be enacted, even for the province of Calcutta, without his consent; nor should we see any decisive objection against his presiding also, by appointment of the Crown, in the Council of Judicature or Court of Appeal, whichever it might be called, if it should be thought that in this way a more perfect harmony of government would be secured.

41. The first duty of the Legislative Council would be, to constitute subordinate Courts of Justice for the province of Calcutta, and until this should be done, the Supreme Court and the Country Courts must continue to exercise their respective functions. Our opinions upon this point also, of the system of Courts best adapted to India, is expressed in a paper which has already been seen by the Government, and which, at their request, is about to be submitted to them in an official form; and we would only observe here, that for the province of Calcutta we conceive that below the Court of Appeal or Council of Judicature there ought to be one Provincial Court held at Calcutta, about four Zillah Courts; the town of Calcutta and its suburbs constituting of itself one Zillah, and an

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adequate number of Pergunnah Courts ; that we would make all persons, without exception, eligible as Judges and officers of the Courts, but in practice, one at least of the Judges of every Zillah Court ought always to be a natural-born British subject, and in the Provincial Court all the Judges should be natural-born British subjects, and one of them should be an English barrister of ten years' standing. With the exception perhaps of that one person, and of all the Judges of the Court of Appeal or Council of Judicature, who ought to be appointed by the Crown, the other Judges of all the Courts within the province of Calcutta might be appointed by the Governor-General in Council. The functions of these Courts, except the Provincial Court, might be confined ordinarily to civil causes, and criminal Courts for the trial of misdemeanors and of minor felonies, might be constituted by the Zillah Courts sitting at stated periods, with the addition of the Justices of the Peace ; other felonies of a worse nature would be reserved for the Provincial Court alone.

42. The Governor-General and Council, as at present constituted, would retain within the province of Calcutta all their present powers, as far as they should be consistent with the new provisions ; and it ought to be declared much more plainly than it has hitherto been, that throughout the other territories they have the exercise by themselves, or through the Company's servants, of all authority executive, legislative and judicial, including the power of life and death, subject to the direction and control of the Court of Directors and Board of Commissioners, and to the supreme power of the Crown and the Imperial Parliament. The Governor-General in Council, however, should also have the discretionary right of calling in aid the Legislative Council or Court of Appeal, and referring to them any matters arising in any part of the territories, and of appointing upon emergencies the members of these bodies, or any other persons, Commissioners to act in and for any part of the territories.

43. The basis and essential part of this plan is, that the two systems of law and sorts of Government, which it seems to be necessary to maintain in India, should respectively be confined to separate local limits, instead of struggling together within the same ; but it is not meant that the system to be established around the seat of Government should be exclusively British, but one adapted to all the circumstances of the country, though in complete subordination to the Crown and Parliament. The plan would afford to all British persons, and to any other classes of the community who should set a value upon the protection of a regular system of law and Courts, the opportunity and means of living under it ; on the other hand, it would secure the natives in the outer provinces from that annoyance which it is affirmed they have occasionally experienced from the process of British Courts ; and it would preclude all collision between the two sets of Courts and systems of law. It would do away with all invidious distinctions between the different classes of inhabitants. In the province of Calcutta, all without distinction would have all the most important rights belonging to the inhabitants of a British settlement ; in the other territories, all would be equally reduced to such as might be found consistent with the more despotic power which necessity should require to be maintained there. This need not be more despotic than at present it is, as to those who constitute ninety-nine hundredths of the whole population ; on the contrary, let it be mitigated and regulated and improved as much as may be consistent with security ; but let British persons

persons who voluntarily place themselves under it, be as much subjected to it, and in the same manner, as the rest of the people. Those who now, for the purposes of trade, connect themselves with the cultivation of land in the interior, might continue to do so; whilst, for those who should wish to settle for life in India, and to purchase durable interests in land, the province of Calcutta would present a sufficient area for several years to come; and all who are acquainted with the country will acknowledge the general advantage which would result from the increase in number of convenient places of residence for British persons even within that limited space. The most effectual defence against the Indian climate is, an accommodation of the place of residence to the season of the year; and it is a fact, not understood in England, that all India might be divided into circles of a radius of less than 200 miles, within each of which, in one direction or another, at every season of the year, a wholesome and a pleasant climate might be enjoyed. The limits of the province of Calcutta would not be so large as to make it an unreasonable expectation, that throughout that district, in which already there is every where a permanent settlement of the revenue, the Courts of Law and a Legislative Council together, might be able first to ascertain, and in some degree fix the nature of those customary interests in land, which are so great a difficulty in the way of making any property in it valuable or secure, and might provide some ready means of settling the disputes which will arise out of this sort of property as long as it subsists, and at the same time open some course by which, with the strictest regard to justice, and without any preference of the English to any other system of law, these inconvenient and barbarous forms of property, such as have at some time or other existed in almost every other country, might, as in other countries, be resolved into more convenient, simple and definite ones, to the advantage of all parties. We wish it to be clearly understood that it is not English law, but whatever law should be found best adapted to the country, that we should seek to establish, subject to certain specified exceptions and restrictions preservative of the sovereignty of the Crown and authority of Parliament. The task of preparing, establishing and conducting of a firm system of law within the province of Calcutta, might afford at least as much occupation to those who now find employment in the Supreme Court as they would lose by the alteration of its jurisdiction. The interests of religion, and the progress of moral instruction, would seem to us to be likely to be promoted by these arrangements; and the Legislative Council and Court of Appeal would constitute channels for the exercise of that control by the Crown and Parliament, within a certain district, over all legislation and administration of justice, which, in some way or other, must ultimately be established throughout the whole British territories, even though India should be made as distinct a portion of the British dominions as Ireland was before the Union, and gradually, as the system should be perfected within its limited range, it might be extended to other provinces.

44. We beg permission to guard ourselves against the appearance of being influenced in these recommendations, and particularly the latter part of them, by any feeling adverse to the East-India Company. Many alterations heretofore have taken place in the constitution of the Company, and others no doubt will take place hereafter, but we do not foresee any circumstances in which it would not appear to us to be desirable that the main organ of government for India should be a body of Directors, resident in England, and elected

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elected by the holders of stock, representing property in India, and depending mainly for its value upon the prosperous condition of that country ; and we regard with the greatest consideration and respect the interests of those by whom, under the Directors, India is for the most part actually and immediately governed. They and their connexions form as it were a large family, which has claims upon India founded in long expenditure upon it of all that is valuable in life ; they only are qualified by information and experience to conduct the details of its affairs, and one of the principal points, in all plans for the government of India, ought to be the preservation of all their real interests, and the securing of their willing and cordial assistance.

45. In conclusion, we wish to say, that if our suggestions should be thought deserving of further consideration, we shall be happy to enter into more complete details of what has been stated in this letter in a very general and imperfect manner ; nor are we so prejudiced in favour of the plan recommended by ourselves, that we should have any reluctance to give the fullest consideration to any other which may be thought preferable. We are strongly impressed however with the following conclusions : That the trade with India being irrevocably free, there must be a greater resort to Bengal of British persons than can be confined to Calcutta or its immediate neighbourhood ; that there are not the means at present of establishing, throughout the vast extent of this Presidency, a system of law and government under which British persons resorting to India could or ought to be compelled to live, and that in these circumstances the wisest course will be, to provide a sufficiently regular and liberal, and to a certain extent British system, for a well-defined portion of the country, small indeed in proportion to the whole territories, but sufficient in reason for the ordinary and permanent abode of the families of those British persons whom the trade of India may bring to the country ; to leave it to their own choice whether they will pass beyond the boundaries within which they have the opportunity of living and holding property under the protection of that system, but to let them know distinctly that if they do make that choice, they leave their English rights behind them, and pass into another state of things which necessity requires to be differently managed.

We are, &c.

True copy:

(Signed) HOLT MACKENZIE,  
Secretary to Government.

No. 27.

LETTER from the Governor-General in Council to the Hon. Sir Charles Edward Grey, Knight, Chief Justice, and the Hon. Sir Edward Ryan, Knight, Puisne Justice of the Supreme Court of Judicature at Fort William in Bengal; suggesting for their consideration certain Alterations and Additions in the Bill to be intituled, "An Act for establishing Legislative Councils in the East-Indies."

HON. SIRS:

Fort William, 28th Sept. 1830.

We do ourselves the honour to acknowledge the receipt of your Letter, under date the 13th instant, with its Enclosures, Nos. 1, 2, 3, and 4, and we avail ourselves of this opportunity to convey to you our acknowledgments for the obliging attention which you have shown to our suggestions.

Alterations  
suggested by  
Governor-General  
in Council in the  
Bill proposed by  
Judges.

With respect to the first mentioned document, or heads of a Bill, to be intituled "An Act for establishing Legislative Councils in the East-Indies," we take the liberty of suggesting for your consideration the propriety of introducing the alterations and additions contained in the accompanying Paper. As to the form of their introduction we are indifferent, and we should indeed feel ourselves obliged by your modifying the language of our propositions, in such manner as may seem to you advisable. But we should wish that the substance of them may be preserved as much as possible. They were not resolved upon without mature deliberation, and we could not relinquish them without apprehension that the efficiency of the system of Indian government would be thereby materially impaired.

We propose to take into our consideration, at the earliest possible period, the various and important questions discussed in the other documents, numbered 2, 3 and 4, and most fully concurring with you in the sentiment you have expressed, that "upon a subject, respecting which, from its extent and intricacy, all opinions are so liable to be misunderstood, those which are stated otherwise than plainly and fully may serve for much mischief, but can scarcely do any good." We shall communicate to you, with perfect candour, the conclusions at which we may arrive, after having maturely weighed your valuable suggestions.

We have, &c.

(Signed)

W. C. BENTINCK.  
W. B. BAYLEY.  
C. J. METCALFE.

Clause 4.—For the words "*or in the neighbourhood, and within some convenient distance of the same at such,*" substitute "*or at such places as may be most convenient, and at such.*"

The following addition to be made to clause 6: "Provided, however, that it shall and may be lawful for the Governor-General in Council to carry on any cases in which he may consider that serious mischief to the interests of the British Government would arise from the suspension of any law, to cause the same to be carried immediately into effect, notwithstanding that the Judge or Judges may have expressed his or their

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their belief or opinion, that such law or regulation is not within the powers vested in the Legislative Councils, by this or any subsequent Act. In all such cases, where any law or regulation may be passed on the emergency above adverted to, a written notice of the resolution to pass such law or regulation shall forthwith be transmitted by the Governor-General in Council to the Judge or Judges, and such law or regulation shall thenceforward take effect and be binding, until his Majesty's pleasure be known, any repugnancy or supposed repugnancy notwithstanding; but on all such occasions the Governor-General in Council will be required to state fully and at length the grounds of the existing emergency, and without delay to submit the same, together with all the documents that may have been recorded on the subject, through the usual channel, for the consideration of his Majesty in Council."

The following rules to be substituted for clause 9: " When any law or regulation shall have been resolved upon at any lawful meeting of the said Legislative Councils, and have been sent round to the resident Members for the expression of their approbation or dissent in writing; then, if the Governor-General or the Governors of Fort St. George and Bombay shall think fit, they shall be competent at this stage to correct the further progress of the proposed law or regulation. If, however, the said Governor-General or Governors of Fort St. George and Bombay respectively shall approve the further progress of such proposed law or regulation, notice of the general object of it shall forthwith be published in the Government Gazette, or some other newspaper of the place, and an interval of fourteen days at the least shall take place, from the time of the first publication, before the Governor-General shall give his final consent (excepting any case in which the Governor-General in Council may be of opinion that serious mischief to the interests of the British nation would arise from the said delay of fourteen days, in which case the circumstances being duly specified and recorded, the law or regulation may be passed on the emergency), and if any person or persons interested in or affected by any such law or regulation, shall petition any such Council to take into consideration his or their objections against it, at any time before the consent in writing of the Governor-General of Fort William for the establishment of such law or regulation shall have been given, the Governor-General or Governor or Vice-President of the Presidency at which the law or regulation shall have been made, shall direct at what time and place any such person or persons shall state his or their objections, and whether by written petition only, or by counsel, or in person; and it shall be lawful for any person or persons who may be aggrieved by any such law or regulation, to appeal against the same to his Majesty the King in Council, who shall have full power and authority at any time to repeal the same, but such appeal or notice thereof shall be made or given within six calendar months of the publication in India of the law or regulation which shall be the subject of appeal; provided moreover, that whenever the Governors of Madras or Bombay respectively shall object to and stop the progress of a proposed law or regulation, he shall, at the request of any Member of the Legislative Council, lay before such Council a statement of the grounds of his objections; and any Member, disapproving of such grounds, may enter upon the Minutes the grounds of his disapprobation; and in all such cases of difference of opinion, the whole of the documents connected with the subject shall be submitted for the consideration and decision of the Governor-General, to whom it shall be competent to confirm the

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the rejection of the proposed law, or to lay the same before the Supreme Legislative Council, to be dealt with as if such law or regulation had been approved at the subordinate Presidency, and had been transmitted in due course to the Supreme Council for confirmation. In like manner, whenever the Governor-General may object to and arrest the progress of a proposed law or regulation, which may have been resolved upon in the first instance by the Supreme Legislative Council, he shall, at the request of any Member of such Legislative Council, lay before it a statement of the grounds of his objections, and any Member disapproving of such grounds may enter upon the Minutes the grounds of his disapprobation; and in all such cases of difference of opinion, the whole of the documents connected with the subject shall be submitted for the consideration and decision of his Majesty in Council, which authority shall pass such orders as it may see fit, either for the final rejection or for the adoption of the proposed law or regulation.

“ Provided also, that nothing contained in this Act shall be construed to limit or restrict the powers now legally exercised by the Governor-General in Council of the Presidency of Fort William, or of the Governor in Council of the Presidencies of Fort St. George and Bombay respectively, excepting in so far as the same may relate to the making of laws and regulations.”

True copies :

(Signed)      HOLT MACKENZIE,  
Secretary to the Government.

(No. 1246.)

No. 28.

LETTER from the Governor-General in Council to the Hon. Sir Charles E. Grey, Knight, Chief Justice, and the Hon. Sir Edward Ryan, Knight, Puisne Justice, of the Supreme Court of Judicature at Fort William in Bengal; communicating the sentiments of his Lordship in Council, on the Papers submitted by them relative to the formation of a Code of Laws and the establishment of a System of Courts for the British Territories in the East-Indies.

Governor-General  
in Council's  
Sentiments on  
Papers submitted  
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1. We have already had the honour of communicating to you our sentiments on the draft of a Bill, &c. which accompanied your Letter of the 13th ultimo.

2. We now proceed to state what has occurred to us on a consideration of the other important and valuable Papers with which you have favoured us; and first, as to the observations relative to the formation of a code of laws for the British territories in the East-Indies.

3. You have justly stated the confusion which exists under the law as it now stands, in regard to the rights of various classes of persons, and on this branch of the subject we have little or nothing to add to the exposition contained in your Letter to the Secretary to the Board of Control, of the circumstances which have chiefly occasioned the difficulties and embarrassments under which all authorities, engaged in the civil administration of the country, equally labour. Whether, indeed, the principles ordinarily applicable to conquests by the Crown, could have been fitly applied to provinces of so vast an extent,

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acquired under circumstances of a very peculiar nature, partly by arms, partly by negotiation, and partly by arrangements for which it might not be easy to find a suitable designation among the stated terms of European jurists, seems to us to be very questionable; but whatever principle had been followed, we imagine that it must equally have been found impossible for the British Parliament to legislate for the details of the civil administration of this country, without occasioning innumerable doubts and difficulties at every step. On all sides therefore it must, we think, be manifest that the chaos which you have so forcibly and justly described, can only be reduced into order by means of a local legislature, acting of course under a complete subordination to the Parliament of England. And it seems to us to be not less evident, that the legislative interposition of Parliament ought to be confined, as far as possible, to matters affecting the general concerns of the empire; and that in respect to local details, even when it may see reason to interfere, it should proceed rather by general resolutions, to be reduced into law by the local legislature, with a full knowledge of local peculiarities, than by formal enactments binding to the letter.

4. With reference to your remarks as to the second branch of law, or the law of property, we are sorry that we cannot bring ourselves to concur in the opinion you have expressed. You suggest that one law should be established for all moveable property (as well as for matters of contract) to whatever class of persons belonging, and that the laws to be established should be the law of England. The only advantage you appear to anticipate from this is, the advantage of uniformity. In matters of contract it may be observed, that the principles of equity and good sense are enjoined; not those alone of the Hindoo and Mahomedan laws. On the proposition of introducing a new law, as relates to moveable property, we are of opinion that the innovation would be at once unwelcome and unnecessary. The rules of inheritance, both Hindoo and Mahomedan, by which much moveable property changes owners, are clear, simple and well defined; and the few points on which conflicting doctrines are entertained, might easily be set at rest by a declaratory enactment; cases unprovided for, or rules manifestly repugnant to justice and sound policy (if such exist), may similarly be provided for as they may occur. But any general enactment, which should sweep away at one stroke the laws of our Hindoo and Moslem subjects relative to moveable property, would, we apprehend, be the occasion of much complaint; and, as already observed, we are not aware of any evil practically experienced under the present law to call for any violent remedy. Generally, indeed, in making a code, our object would be rather to declare what the law is, than to change what is fully established, or to attempt to provide prospectively for future exigencies, unless with the view of supplying obvious defects, or of correcting evils actually experienced.

5. With these sentiments, we should think it advisable to leave untouched the law relative to real property, excepting in the case of British-born subjects. Considering the purposes for which these generally acquire, and are likely to acquire such property, and the expediency of avoiding all artificial obstacles to its free transfer, it seems to us that it would be convenient and advantageous, if the estates of that class were declared to be a chattel interest merely; some simple rules relative to registry and transfer, and some clear definition of the modes in which such property should pass and be required, being  
at

at the same time established. With this modification, we conceive that the English law of property, subject of course to modification from time to time by the local legislature, might be advantageously made applicable to all Christian persons. It is unnecessary now to advert particularly to the rules which may become necessary to provide for the case of persons passing from one class to another. Possibly no provision may be required in addition to that above suggested, for the application of English law to all Christian persons.

6. But some new rules relative to the execution of wills, and the administration of the estates of intestates, appear to be very urgently required, and in regard to Christian persons, the whole scheme of ecclesiastical law must be distinctly considered.

7. No objection occurs to us against the extension, as proposed by you, of the English law relating to private injuries. Already, indeed, our Courts are mainly guided by the principles of that law, and the only change needed seems to be better and fuller definitions, and such an amendment in the forms of action and process as, while it preserves to the utmost extent practicable, the simplicity that distinguishes our existing rules in this respect, may better accommodate them to the various exigencies for which Courts of Law and Equity have to provide.

8. We have great satisfaction in expressing our entire concurrence in the concluding observation of the Paper now referred to, as to that branch of the law which relates to public wrongs. We are satisfied that a penal code such as you describe, might without difficulty be prepared; but even in this matter we are equally convinced of the advantage of a local council over a distant legislature, to which many things, very important to be considered in adjusting the scale and determining the nature of punishments, cannot be familiarly present.

9. We have now to advert to a very important question, on which we regret to find ourselves compelled to dissent from the views which you entertain. We mean the separation of a certain tract of country for the introduction of a new code and judiciary system. Against this arrangement, many and grave objections occur to us.

10. The principle on which the suggestion is founded appears to require that, as proposed by you, an inconsiderable portion only of the territories subordinate to this Presidency should be included within the tract to be set apart for special laws and a peculiar system of administration. And howsoever therefore the limits might be adjusted, the same, or nearly similar results must, we apprehend, follow, as are to be anticipated on the supposition that your recommendation for confining it to the Delta of the Ganges, were adopted. Now, what would be the position in which we should then place the government of the country? The districts in question (supposing that to the west Moorshedabad, and eastward Dacca Jelalpore, were wholly included) may probably yield about a moiety of one of the great staples of the country, indigo. Their population\* may be estimated

* Moorshedabad	..	..	..	..	..	..	..	..	..	..	763,000
Nuddea	..	..	..	..	..	..	..	..	..	..	1,187,000
Twenty-four Pergunnahs, Suburbs and City	..	..	..	..	..	..	..	..	..	..	1,225,000(a)
Jessore	..	..	..	..	..	..	..	..	..	..	1,184,000
Dacca Jelalpore	..	..	..	..	..	..	..	..	..	..	588,000
											4,947,000

(a) The Christian population of Calcutta was rated in the Census of 1822 at 13,183.

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estimated at about 5,000,000, and the European residents (exclusive of Calcutta) are stated in the latest Report of the Superintendent of Police at 160 only. Unquestionably it is an object of no ordinary importance to provide good laws, and an establishment that would well administer justice for so numerous a people. But we should greatly lament to see that object pursued in any manner that would indicate, or afford the slightest ground for the insinuation, that the remaining vast, populous and wealthy provinces subordinate to this Presidency, many of which we have now possessed for about seventy years, were wilfully and deliberately to be left subject, for an indefinite period, to a scheme of laws and judiciary system which it would be thought unjust to apply to a comparatively inconsiderable body of our countrymen. It would be repugnant to our feelings, it could scarcely fail to shock the public sentiment, to pronounce such a sentence of virtual outlawry on the great majority of our native subjects even for a single day, and if the general system prevailing in the interior of the country were of that defective character which the proposed measure would indicate, it is the obvious and bounden duty of our Government to proceed forthwith to the work of reform, and to avoid carefully every measure that might tend to raise artificial obstacles to its progress.

11. The neighbouring districts of Beerbhoom, Jungle Mehals, Burdwan, Hooghly and Midnapore are stated to contain a considerably larger population than the tract you have indicated.\* If we exclude the city of Culcutta and the suburbs, they will be found, we believe, to possess a larger mass of wealth, and to present a greater value of property for adjudication in the Courts.† In all of them there are several European residents.

They

	Population.
* Beerbhoom .. .. .	1,267,000
Jungle Mehals .. .. .	1,305,000
Burdwan .. .. .	1,188,000
Hooghly .. .. .	1,239,000
Midnapore .. .. .	1,914,000
	<b>6,913,000</b>

	Property at Staks in the Zillah and Subordinate Courts, 31 Dec. 1868.	Property adjudged by the Zillah and subordinate Courts.
† Moorshedabad .. .. .	549,000	224,000
Nuddea .. .. .	383,000	147,000
Twenty-four Pergunnahs and Suburbs .. .. .	572,000	274,000
Jessore .. .. .	579,000	117,000
Dacca Jelalpoore .. .. .	165,000	74,000
<b>Total .. .. .</b>	<b>2,248,000</b>	<b>836,000</b>
Beerbhoom .. .. .	250,000	124,000
Jungle Mehals .. .. .	577,000	214,000
Burdwan .. .. .	499,000	247,000
Hooghly .. .. .	392,000	345,000
Midnapore .. .. .	436,000	127,000
<b>Total .. .. .</b>	<b>2,154,000</b>	<b>1,057,000</b>

They present opportunities for the successful application of European skill that are not to be found within the Delta of the Ganges, possessing valuable coal mines, abounding in iron ore, and producing a very large supply of sugar, of which little or nothing is produced within the districts of the Delta. Probably, indeed, it was not your intention strictly to adhere to the line of demarcation specified, since not to mention the collieries of Burdwan, the property of British-born subjects, it would exclude the populous suburbs on the opposite side of the river, and the very important establishment at Fort Gloucester, and several zemindarees and indigo concerns will, we believe, be found to extend to both sides of the Great River and of the Bhageruttee. But, as already observed, whatever limits we take, consistently with the principle on which the scheme must be made to rest, equal difficulties pursue us. They would not indeed be obviated by including in the scheme the entire province of Bengal. The obligation of providing for the pure and prompt administration of good laws is not less urgent and indispensable in the provinces of Behar and Benares than in the immediate vicinity of Calcutta.\* Each of those provinces contain a very large population, with a greater share of wealth, intelligence and spirit than is to be found in the Lower Provinces beyond the limits of the city and its suburbs. They are not less entitled to the benefit of equal laws well administered, than any other portion of our subjects, they are probably more capable of appreciating good government. They are certainly much more likely to resent misgovernment than the people of Bengal. There would therefore be something extremely objectionable, we conceive, in an act which would virtually proclaim to the people of those provinces that measures for the reform of the judicial administration, on which their property and happiness depends, were to be postponed until a special scheme should be fashioned and matured for a comparatively confined tract and limited population around the Presidency of Fort William.

12. Even, therefore, if we looked to the natives alone, who are likely, in the progress of education, to acquire every day a greater community of sentiment with their rulers, and

	Estimated Population.	Property at Stake in the Zillah Courts, 1828.	Property adjudged, &c. 1828.
* ZILLAS OF BEHAR:			
Sarun .. .. .	1,464,000	544,000	178,000
Shahabad .. .. .	909,000	571,000	74,000
Patna .. .. .	256,000	532,000	225,000
Behar, exclusive of Ramghur .. .. .	1,341,000	947,000	138,000
Terhoot .. .. .	1,698,000	1,307,000	354,000
Total .. .. .	5,668,000	3,901,000	969,000
ZILLAS OF BENARES:			
Benares .. .. .	500,000	529,000	449,000
Ghazeepore .. .. .	3,170,000	468,000	251,000
Juanpore .. .. .		467,000	147,000
Mirzapore .. .. .		383,000	203,000
Goruckpore .. .. .		820,000	190,000
Total .. .. .	5,659,000	2,667,000	1,240,000



# 1250 FIFTH APPENDIX TO THE THIRD REPORT OF THE

LEGISLATIVE  
COUNCILS,  
&c

Governor-General  
in Council's  
Sentiments on  
Papers submitted  
by Judges.

and many of whom, you are doubtless aware, possess properties in various districts, we should be averse to any plan of arbitrary distinction between the different parts of our dominions, as likely to occasion embarrassment and discontent, our real policy being, we conceive, gradually to extend to the whole country, with the modifications required by local circumstances, whatever institutions are found most consonant with our position, and with the wants and wishes of the people. Still more does such a policy appear to be required by a consideration of the actual circumstances in which British residents are now placed, and of those which must, we apprehend, be anticipated on their being permitted more freely to resort to this country.\*

13. Nor are there fewer objections to the scheme of separation, if we regard it in what may be termed its commercial relations.

14. Much indigo is produced in the more distant parts of Bengal, still more in the provinces of Behar and Benares, where European residents are consequently as numerous nearly as in the districts adjoining Calcutta. The culture of cotton, sugar and tobacco, and the growth of the mulberry for the manufacture of silk, chiefly prevails (the three first-mentioned articles more especially) in the remoter districts. Saltpetre, and various dyes

\* COMPARATIVE STATEMENT of Amount adjudged in the Provincial Courts of Calcutta, Moorshedabad, and in those of Behar and Benares.

	1826.	1827.	1828.
Calcutta Provincial Court .. .. .	2,074,000	831,000	485,000
Moorshedabad Ditto .. .. .	544,000	671,000	1,022,000
Total .. .. .	2,618,000	1,502,000	1,507,000
Patna Provincial Court .. .. .	1,034,000	3,247,000	778,000
Benares .. Ditto .. .. .	5,602,000	1,499,000	2,095,000
Total .. .. .	6,636,000	4,746,000	2,873,000

COMPARATIVE STATEMENT of Amount at Stake in the Suits pending in the above-mentioned Courts.

	1826.	1827.	1828.
Calcutta .. .. .	8,104,000	6,598,000	8,217,000
Moorshedabad .. .. .	10,122,000	10,302,000	9,902,000
Total .. .. .	18,226,000	16,900,000	18,119,000
Patna .. .. .	7,015,000	5,016,000	5,389,000
Benares .. .. .	45,082,000	43,653,000	42,897,000
Total .. .. .	52,097,000	48,669,000	48,286,000

dyes and drugs, are all unknown to those adjoining the Presidency; and both to the east and west, it is beyond any limits, we imagine, compatible with your scheme, that unoccupied land is to be found, in considerable quantity, available for the settlement of European adventurers, with the exception of the Sunderbunds. It would therefore, we imagine, be deemed altogether unreasonable to adopt a plan founded on the assumption that the resort of British settlers should be confined within a few districts surrounding the Presidency, or that there only they would find a scheme of law and judiciary establishments calculated to protect or control them, otherwise than in the spirit of a military despotism. Such a restriction upon their enterprize would never surely be tolerated. Such an avowal of incompetency, however misplaced, must be fatal to the Government that made it. We cannot, however, deem any restriction necessary; and with every readiness to admit the imperfection of our institutions (where are laws and courts not imperfect?), we see no reason to conclude that they may not, without any arbitrary separation of the different parts of the empire, be so improved by a plan of steady and gradual reform, as to afford in every part of the country (excepting, of course, certain poor and wild tracts which are inhabited by uncivilized races), a security for person and property not less perfect than is enjoyed in any of the foreign dominions of the British Crown.

15. We do not of course, in regard to arrangements, the success of which must mainly depend on the fitness of the instruments employed, by any means object to the principle of giving effect to them only as duly qualified agents can be found. But in advocating a gradual reform, we would be understood to refer rather to the nature of the changes to be made than to the local limits to which they apply. A sudden and great change of rights, interests or institutions, would be mischievous, though restricted to a single Pergunnah. The progress of improvement will beneficially proceed, with well measured steps, throughout the whole of British India. It is therefore against the adoption of a rule by which we shall arbitrarily prevent ourselves from adopting our course of proceedings to actual circumstances, we would be understood to argue; and we confess we do not anticipate, from the free permission to Europeans to settle in the interior, with the liberty of purchasing lands, any such consequences as should deter us from adopting one general scheme of administration for the whole of the provinces. We do not think it likely that the number of persons embarking in the speculation will be numerous. We should not anticipate from their presence any occasions of dispute which a tolerably good judiciary establishment would not be fully competent to settle; nay, we should look rather for increased facilities for getting at the facts, the ascertainment of which now constitutes our main difficulty, since none of them would have that timid jealousy, and the worst of them are not likely to have, in equal degree, the spirit of chicane, which unfortunately distinguish all classes of our native subjects, and which frequently leads to the concealment of the truth, even when its discovery would be beneficial to the party. The conditions on which land is held are indeed various; but there is not generally any seriously embarrassing entanglement of properties when the real circumstances are developed. All undefined *classes* which resembled the *incidents* of the *feudal* tenures have long since been done away; and in so far as concerns the security of private rights and their ready adjustment, what is wanted is not, in our judgment, a change of tenure, but the simple discovery and record of what already exists.

LEGISLATIVE  
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&c

Governor-General  
in Council's  
Sentiments on  
Papers submitted  
by Judges.

We hold it to be impracticable to compel British subjects to congregate within a very limited space, consistently with the objects for which we desire to see them admitted to the free possession of landed property; for land is not generally to be obtained, excepting at a very high price. In prosecuting their schemes of improvement, they must seek a variety of soils and climate. They cannot, we apprehend, expect to be able to compete successfully with the natives in the production of the ordinary articles of agriculture; and for success in any pursuit, they must diligently avail themselves of every attainable advantage in the way of low wages and unimproved capabilities, which must gradually disappear with the spread of knowledge; in a word, looking to all the circumstances of the country, it seems to us, that Europeans must cease to find any large profit in agricultural adventure, when they cease to be the instructors of the people; and seeing how rapidly the latter appear to be capable of acquiring European knowledge, the former must, from that circumstance alone, be few in number. It is very unlikely they should wish to retain landed property in India, if it did not yield them a profit much exceeding the mere interest which they could derive at home from the money value of it.

17. With the above sentiments on the plan of separating a certain tract of country for the introduction of a new code and a modified judiciary system, it is satisfactory to us to find, that amongst those valuable and important suggestions contained in the Papers 2 and 3, relative to the formation of a code and the establishment of Courts, which command our concurrence, there are none that might not, in our judgment, be applied with equal facility to the country generally as to a single province; and that the objections which occur to us against the other measures you have proposed, have no reference to the extent of the sphere within which they may be called into operation.

18. We cordially unite with you in opinion, that all the Indian territories which constitute the three Presidencies, should be considered and declared to be dominions of the Crown of the United Kingdom, for which Parliament has an unquestionable right of legislation. We likewise entirely assent to your suggestion, that as soon as possible, one code of law should be established for all persons and all places within the same, reserving of course the special laws and usages which depend upon the religious creed of the different classes of our subjects, and that there should be one system of Courts, of which the highest should be filled by Judges appointed by his Majesty. We cannot regard the commercial concerns of the Company as opposing any serious obstacle to the adoption of any scheme that may otherwise be thought expedient. We consider it in the highest degree desirable, that every thing which can tend to separate in reality, or in the estimation of the community, the Government of the King from that of the Company, in so far as concerns the political administration of this country, should be discontinued; and if any part of the system according to which the Company's commercial affairs are now managed, has this tendency, we doubt not that it will be corrected. On that score, therefore, we do not anticipate any difficulty in adopting whatever system of judiciary establishments may appear to be best suited to the circumstances of the country, and the scheme of which you have given a general outline in the paper, No. 3, agreeing nearly with what we should ourselves wish to see established, it does not appear to be necessary that we should trouble you with any remarks, excepting on a few points.

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19. First, as to the actual state of things, the annexed Memorandum\* will give you a general conception of the business of the several descriptions of Courts, civil and criminal, now established for the administration of justice in the interior of the country.

20. You will thence observe that the Native Judges already dispose of about 15-17ths of the regular civil suits (original and appeal) tried and determined throughout the country, and that it is chiefly in the Superior Courts that the suits in arrear are of long standing. Of the original suits pending before the Judges and Registers, a large proportion will be found to relate to things of a value under 1,000 rupees; and although, therefore, the jurisdiction of the Native Judges were still restricted to that sum, the Zillah

• Judges

LEGISLATIVE  
COUNCILS,  
&c

Governor-General  
in Council's  
Sentiments on  
Papers submitted  
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\* STATEMENT OF CRIMINAL BUSINESS in the several Courts belonging to the Presidency of Fort William, for the Years 1827 and 1828.

						Western Provinces.		Lower Provinces.	
						1827.	1828.	1827.	1828.
Magistrate's Courts:									
Persons apprehended, &c.	..	..	..	..	..	39,335	32,077	69,511	70,189
Ditto punished	..	..	..	..	..	15,655	12,439	24,748	25,660
Ditto acquitted	..	..	..	..	..	20,831	17,217	42,193	42,591
Ditto committed	..	..	..	..	..	2,749	2,693	2,570	1,986
						1826.	1827.	1826.	1827.
Courts of Circuit:									
Persons convicted	..	..	..	..	..	1,197	1,320	973	1,576
Ditto acquitted	..	..	..	..	..	894	913	871	1,185
Nizamut Adawlut:									
Persons acquitted	..	..	..	..	..	93	165	129	95
Ditto convicted	..	..	..	..	..	453	279	425	283
Sentences of death	..	..	..	..	..	39	31	22	23
Ditto of transportation	..	..	..	..	..	34	4	9	39
Ditto of imprisonment	..	..	..	..	..	380	244	394	221

STATEMENT OF Regular CIVIL SUITS in the several Courts belonging to the Presidency of Fort William, for the Years 1827—28.

		Instituted.		Disposed of.		Pending.	
		1827.	1828.	1827.	1828.	1828.	1829.
Sudder Dewanny	..	139	171	118	148	469	492
Provincial Courts	..	1,359	1,429	1,415	1,236	3,854	4,006
Zillah Judges	..	63,350	60,400	9,681	8,980	27,856	27,233
Registers	..	Included in the above		6,082	4,427	10,392	10,802
Sudder Aumeens	..			45,986	44,784	35,036	36,294
Moonsiffs	..	115,797	113,849	113,120	114,360	60,685	61,317
Total	..	180,645	175,649	176,342	173,944	138,492	140,144

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Judges might be greatly relieved by a different distribution of the business ; insomuch that if they were at the same time freed from their magisterial duties, we have little doubt that, with occasional aid in particular districts, they would be able promptly to decide all the cases requiring their decision ; and thus to obviate any reasonable ground of complaint on the score of delay, excepting what may arise from defects of process, susceptible, we conceive, of easy amendment.

21. We are disposed to doubt whether natives could advantageously be associated with the European officers, as Judges in the Zillah Courts. Men of admirable acuteness and talent we certainly could command ; and in a few years, probably, the prospect of honour and liberal emolument would produce an abundant supply of any species of knowledge, for the acquirement of which means may be afforded. But moral character depends not less on the general sentiment of the community than on the workings of the individual mind ; and its improvement, however ultimately sure to follow, will not necessarily keep pace with the progress of knowledge. Independently, therefore, of considerations resting on the peculiarity of our position in this country, it seems to us that, for a considerable time to come at least, the natives must be kept distinctly in subordination to the European Zillah Judges, though they, as well as other native persons, may probably be rendered very useful in the capacity of assessors or jurors ; and we are not prepared to say, that they ought not eventually to be vested generally with the primary jurisdiction of all civil suits. We are likewise doubtful how far it would be expedient to have any tribunal interposed between the Zillah Courts and the Court of Final Jurisdiction in this country. The expense of such an establishment would be great ; its utility is questionable ; for the Provincial Judges must apparently be so numerous as to make it doubtful whether we could generally obtain for the office the services of men better qualified than the Zillah Judges may reasonably be expected to be ; and if they were not superior, then there would be no sufficient reason why they should have higher powers than the Zillah Judges ; nay, to give them any power of ultimate decision that would exclude the higher Court, would be mischievous, and their interposition must, in any event, operate to lower the Zillah Courts, and to debar them from many of the advantages they would derive from being brought into immediate contact with the highest local Court. On general grounds, indeed, it seems to us to be desirable to restrict, within narrow limits, the appeals of right from one British Judge to another, litigation and the frivolous prosecution of their suits being prevalent vices, and the proper function of all British authorities being direction and control, to be exercised with the least possible appearance of disunion among those who, in their different ranks, administer the affairs of India as the representatives of the British Government. It seems to us, consequently, that the Presidency Courts of Appeal should be placed immediately above the Zillah Courts. How many Presidency Courts should be instituted is a separate question, the determination of which must, in a great measure, depend on the decision that may be passed in regard to the distribution of the political and executive authority of the Government. But whether there be three or four, or any other number of Presidencies and Presidency Courts, it will, we conceive, be desirable that the Court at Calcutta, or some chamber thereof, should have ordinary jurisdiction in certain cases, of the nature of those

## SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1255

those specified in the second paragraph of your Paper ; and it should further exercise, in the capacity of a Supreme Appellate Tribunal, such special powers of correction and control as may be necessary to maintain consistency of decision throughout the whole of British India.

22. In the criminal department it will not, we imagine, be difficult to contrive a system of jury-trial for all cases which it may appear desirable to have so tried ; and if our Zillah Judges were wholly freed from their magisterial functions, we do not think that there would remain any reasonable ground of objection against their having primary cognizance of all cases, whether British-born subjects or natives were concerned, subject to the directions of the Presidency Court, to which, of course, certain cases might be required to be referred before execution.

23. Arrangements might, we imagine, without difficulty be made to secure all the advantages of Circuits, without the inconvenient delay incident to the plan of Sessions, held at distant periods. But in the present stage of the business it is not perhaps necessary to go further into detail. Whatever plan be adopted, it seems to be clear that it can be successfully carried into effect only by means of a Legislative Council in this country, empowered to enact laws for all persons and all places within British India ; since, in the application of the best devised system, there must arise a multitude of laws that no human foresight can anticipate ; and were the British Parliament to undertake the task of constructing a system by enactments emanating directly from itself, no one can reasonably doubt that the result must be the accumulation of doubts and difficulties that would most mischievously interfere with the good government of the country.

24. In the above remarks we have used, with entire frankness, the freedom of discussion you have invited, satisfied that such a course of proceeding is due to the great national interests involved in the questions at issue, and that we thus best evince the high importance we attach to the suggestions with which you have so obligingly favoured us.

We have, &c.

(Signed)

W. C. BENTINCK.

W. B. BAYLEY.

C. T. METCALFE.

Fort William, 9th October 1831.

True copy:

(Signed)

HOLT MACKENZIE,

Secretary to the Government.

LEGISLATIVE  
COUNCILS.  
&c

Governor-General  
in Council's  
Sentiments on  
Papers submitted  
by Judges.

LETTER from the Judges of the Supreme Court to the Governor-General in Council, in reply to Letter of the 28th September ; stating their sentiments on the Additions and Alterations proposed in the Bill.

Garden Reach, 7th October 1830.

RIGHT HON. LORD AND HON. SIRs :

We have had the honour of receiving your letter of the 28th ultimo.

Judges of  
Supreme Court  
in reply to  
Governor-General  
in Council's  
Sentiments.

One of the proposed alterations appears to us to be unnecessary, and in some degree objectionable. It is that which upon any emergency would give to the Governor-General the power of passing any law resolved upon at any meeting of three Members of the Council, without allowing the interval of fourteen days to elapse. We understand that this was suggested by a provision in the statute 9 Geo. IV. c. 83, s. 25, respecting the Legislative Council of New South Wales ; but it will be found upon examination that the power there given is only that of dispensing with an eight days' notice *before* the law is resolved upon in Council, and such a dispensing power is unnecessary in the case now before us, because it is not proposed that any such previous notice should be given. To authorize the Governor-General to dispense with the *subsequent* interval of fourteen days, would produce great confusion ; for he might then pass a law, without knowing that it would be thought objectionable, which might afterwards be declared, not only by the Judges, but by a majority of the whole Council, to be disapproved of by them, or even to be thought absolutely unlawful.

The other alterations proposed by you have been introduced by us into the amended Minutes of a Bill which accompany this letter. To make them consist with other parts, it has been necessary to alter the arrangement of several of the clauses, but we believe the whole will be found now to correspond with your views, and to establish the following course for the passing of a law at this Presidency : *viz.* That it shall be proposed in a meeting of at least three Members of the Legislative Council ; if resolved upon, that it shall then be sent to the Governor-General, who may either quash it or send it round to all the Members of the Council then resident in any part of the Presidency : all those Members must express in writing their assent or dissent : if a majority of the whole express dissent, the regulation falls to the ground ; if the majority assents, it is established as law, unless the Judges declare it to be unlawful, in which case it is suspended, unless the Governor-General takes upon himself to give it a temporary effect until the pleasure of the King in Council can be declared.

There are some inconveniences which may arise out of the alteration which you have required to be introduced, by which an unlimited discretion is left to the Governor-General as to the place of assembling the Council. The Judges of the Supreme Court, whilst the Court is fixed at Calcutta, could scarcely attend the Council elsewhere, and yet their presence, according to the present form of these Minutes, is rendered necessary.

If this circumstance or any other should appear to call for a modification of the Minutes as they are now framed, it has occurred to us, and we submit it for your consideration,

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1257

deration, that if the Supreme Court should be made principally a Court of Appeal, it might be a convenient arrangement that two persons appointed by the Crown, together with one Member of the existing Council and the Governor-General, should form a Legislative Council, and two other persons, appointed by the Crown, together with the other Member of Council and the Governor-General, should form the Court of Appeal or Council of Judicature; the presence of the Governor-General not being made necessary, but the right only of presiding in each Council being reserved to him when it should be thought expedient to exercise it.

We are, &c.

(Signed) CHAS. EDWD. GREY.  
EDWARD RYAN.

A true copy:

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

No. 30.

LETTER to the Hon. Sir Charles Edward Grey, Knight, Chief Justice, and the Hon. Sir Edward Ryan, Knight, Puisne Justice of the Supreme Court of Judicature at Fort William in Bengal; explaining more clearly the views of his Lordship in Council, in suggesting an alteration commented upon in the Letter of the 7th October 1830.

HON. SIRS:

11th October 1830.

We do ourselves the honour to acknowledge the receipt of your letter, dated the 7th instant, with the amended Bill which accompanied it.

2. With respect to the alteration which we suggested, and which appears to you unnecessary, and in some degree objectionable, we regret that we should not have expressed ourselves with sufficient clearness and precision. Our object was that the Governor-General should be empowered to dispense with publication, in cases of emergency, after the proposed law had been sent round to all the resident Members of the Legislative Council. This explanation will, we trust, do away with the objection which you attached to the suggested alteration; but with the view of removing all ambiguity, we have put it into another shape. A copy of the rule as now altered is annexed, and we would suggest that the substance of it be introduced at the end of the 9th section, or at such other part of the proposed Act as you may consider more suitable.

3. You will observe, that in addition to the power of dispensing with publication, we now propose that a power should be lodged with the Governor-General, in extraordinary cases, of obviating the delay which would arise from sending round a law to all the resident Members of the Council. We conceive this power to be necessary to meet cases of emergency; and as each Member of the Council would receive due notice, and have the option of attending the meeting, we are not aware that the proposition to confer it, limited as it will be to cases of great emergency and to laws of a short duration, can be considered in any degree objectionable.

4. We

LEGISLATIVE  
COUNCILS,  
&c

Judges of  
Supreme Court  
in reply to  
Governor-General  
in Council's  
Sentiments.

Governor-General  
in Council  
to Judges, in  
explanation.



LEGISLATIVE  
COUNCILS,  
&c

Governor-General  
in Council  
to Judges, in  
explanation.

4. We venture to suggest to you an alteration of the period specified in the 6th section, from twelve to eighteen calendar months, this last-mentioned period appearing to us no more than sufficient for the notification of the pleasure of his Majesty in Council respecting any law or regulation passed in this country, adverting to the ordinary length of time occupied in the voyage to and from England, and to the interval which must be allowed for the deliberation of the home authorities.

5. On the subject of the inconveniences which you anticipate as being likely to arise from leaving to the Governor-General an unlimited discretion as to the place of assembling the Council, we have only to remark, that we never intended that this discretion should be exercised except in cases of urgent and manifest necessity. Epidemic diseases may arise which would render it unsafe to reside at the Presidency or in its vicinity; the contingencies of war may render the removal of the seat of Government expedient and necessary; and various exigencies, now unforeseen and not easily enumerated, may occur to make the exercise of such a power indispensable; and it ought, of course, to be competent to the Legislative Council to meet such contingencies by an alteration in the seat of the Supreme Court.

6. Under the extreme improbability of such an emergency arising as that adverted to in the preceding paragraph, we conceive that it would be obviously premature to discuss at length the questions involved in the proposition contained in the concluding paragraph of your letter, which we are of opinion will with more propriety be left for the consideration of the Legislative Council, after sufficient experience has been had of the operation of the proposed system.

We have, &c.

(Signed) W. C. BENTINCK.  
W. B. BAYLEY.  
C. T. METCALFE.

PROPOSED AMENDED RULE adverted to in Paragraph 2, of the Letter under date the 11th instant.

“ PROVIDED, however, that in any case in which, in the judgment of the Governor-General, the safety and tranquillity of the British possessions in India, or the public interest, essentially require that any law should be finally passed by the Legislative Council, holding a meeting as aforesaid, without the delay that would attend the reference of the draft to all the resident Members of that Council, or without publication, it shall be lawful for the Governor-General to approve and confirm the law immediately after its being resolved on and passed as aforesaid. But in all such cases, the Governor-General shall, in summoning the Council, cause notice to be given to each and every one of the Members resident at the Presidency or place at which the Council is held, that it is his opinion that the law should be passed on emergency. Such law, however so passed on emergency, shall have effect for the period of twelve months only, or until the pleasure of his Majesty in Council respecting the same, before the expiration of the said twelve months, shall be declared. And in every such case the Governor-General shall state in writing the grounds and reasons of such emergency, and shall enter the same upon the proceedings of the Legislative Council, by which the law or regulation shall have been

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1259

been prepared, and the same Council shall forthwith transmit copies of the law or regulation and all the proceedings connected therewith, to the Board of Commissioners and Court of Directors, in manner hereinbefore provided, in order that the pleasure of his Majesty in Council may be declared thereon."

True copies :

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

LEGISLATIVE  
COUNCILS,  
&c.

No. 31.

LETTER from the Judges of the Supreme Court to the Governor-General in Council ;  
returning Amended Minutes of a Bill for establishing Legislative Councils in the  
East-Indies.

Garden Reach, 13th October 1830.

RIGHT HON. LORD AND HON. SIRS:

We have had the honour of receiving your letter, dated the 11th instant, with the amended Minutes of a Bill, and the draft of a further amendment proposed to be made therein.

We have gone through the amended Minutes, and have introduced such alterations as have made them now entirely correspond with your views; and we enclose a fresh copy of the Minutes, with all these further alterations inserted in red ink.\* There are a few which are mere corrections of inaccuracies or omissions in the former copies.

The only point in which the Minutes now differ from your last suggestion, is the opportunity which is reserved (even upon urgent occasions) to all the Members of the Legislative Council, who are resident upon the spot, of seeing and approving or disapproving of any proposed law; but, in such cases, the power is secured to the Governor-General of establishing the law, at all events, on the next day but one after it has been agreed upon in any meeting of the Legislative Council. So short a delay in the making of a law cannot in any case be productive of inconvenience; and if you should think it desirable, we should have no objection to its being directed that the written disapprobation by any Member of any Legislative Council of any proposed law or regulation shall be kept secret, both before and after any such law or regulation shall be established, except that it shall be communicated to the proper authorities in the United Kingdom, and to all the Members of the Legislative Council, and shall be entered upon the proceedings thereof.

Judges of  
Supreme Court  
to Governor-Gen.  
in Council,  
with Amended  
Minutes of Bill.

We have the honour to remain, Right Honourable Lord and Honourable Sirs,  
Your obedient humble servants,

(Signed) CHAS. EDWD. GREY.  
EDWD. RYAN.

True copy:

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

\* The red-ink alterations are printed in italics.

HEADS of a Bill, to be intituled “An Act for establishing Legislative Councils in the East-Indies.”

1. WHEREAS the Civil and Military Government of the Presidencies of Fort William, Fort St. George and Bombay, in the East-Indies, subject to such superintendence, direction, control and restrictions as for that purpose have been provided and established, is entrusted to the Governor-General in Council for the time being, and the Governors in Council of the said Presidencies; and also the ordering, management and government of all the territorial acquisitions and revenues therein: And whereas such Governor-General in Council, and Governors in Council, have been authorized and empowered, by several Acts of Parliament, to make rules, ordinances, regulations and laws, as well for the imposition of duties and taxes as for divers other purposes; and it hath been enacted, that all regulations affecting the rights, persons or property of the natives, or of any other individuals who may be answerable to the Provincial Courts of Justice, shall be registered in the judicial department, and formed into a regular code; and it hath also been provided that the rules, ordinances and regulations made for the settlements of Fort William, Fort St. George and Bombay, and the factories and places subordinate thereto, shall be registered in the Supreme Courts of Judicature at the said settlements, with the consent and approbation of the said Courts; and further provisions have been made for the better enabling of his Majesty in Council, in some cases, to disallow or repeal, and in others to amend such rules, ordinances or laws: And whereas it is necessary that a power should at all times be vested in some persons, resident within the British territories in the East-Indies, of making regulations and laws for all the territories and people there under British Government: And whereas the several Acts of Parliament which have heretofore been passed for that purpose have been found to be in some respects imperfect and inconvenient, and it is expedient that more full, certain and effectual provisions should be established instead of them; be it therefore enacted, that so much of an Act, intituled, &c.

13 Geo. III. c. 63, ss. 36, 37.

21 Geo. III. c. 70, s. 23.

37 Geo. III. c. 142, s. 8.

39 & 40 Geo. III. c. 79, ss. 11, 18, 19, 20.

47 Geo. III. sess. 2, c. 68, ss. 1, 2, 3.

53 Geo. III. c. 155, ss. 98, 99, 100.

and so much of every other Act heretofore passed as in any way relates to the making of any laws or regulations by the Governor-General in Council, or the Governors in Council of any of the said Presidencies, be, and the same are hereby repealed: Provided always, and be it further enacted, that nothing herein contained shall be construed so as to repeal any regulations heretofore made by any Governor-General in Council, or Governor in Council; but all such regulations, until they be expressly repealed or altered by some competent authority, shall have the same force and effect as they would have had if this Act had not been passed.

2. And be it further enacted, that there shall be one Legislative Council within each of the said Presidencies of Fort William, Fort St. George and Bombay.

3. Each of the said Legislative Councils shall consist respectively of the Governor-General

# SELECT COMMITTEE OF THE HOUSE OF COMMONS. 1261

General or Governor of the Presidency for the time being, and of all others the Members of the Council of the Presidency and of the Judges of the Supreme Court of Judicature of the Presidency, and of such other persons not exceeding in number, as from time to time shall be appointed by his Majesty, his Heirs or Successors, or by the Directors of the East-India Company, subject to the approbation of his Majesty, his Heirs or Successors, *such approbation to be signified in writing under the Royal Sign Manual, and to be countersigned by the President of the Board of Commissioners for the Affairs of India.*

4. Each of the said Legislative Councils, or so many of the Members thereof as shall be able to attend, shall meet and assemble from time to time at some place to be appointed by the Governor-General, Governor or Vice-President, within the towns of Calcutta, Madras and Bombay respectively, or at *some place within twenty miles of the said towns; or in case of any urgent necessity, at some other place, to be appointed by the Governor-General and Council, or Vice-President, at such times and in such manner as such Governor-General, Governor or Vice-President, shall also direct; and it shall not be lawful for any of the said Legislative Councils to assemble in the capacity of a Legislative Council, otherwise than as herein provided.*

5. Each of the said Legislative Councils shall be capable of deliberating, resolving and acting in its capacity of a Legislative Council, whenever three Members thereof shall be lawfully assembled, provided that one of the three be either the Governor-General, Governor, Vice-President or some other Member of the Council of the Presidency, and another be one of the Judges of the Supreme Court, but not otherwise, unless there should be no Judge then resident within the Presidency, or the provinces annexed thereto, or unless, upon any urgent occasion, there should be a refusal to attend, or an impossibility of attendance, or any wilful neglect to attend on the part of all the Judges then resident as aforesaid; in any of which cases, and after a Minute of the circumstances shall have been entered upon the proceedings of any such Legislative Council, and signed by the Governor-General, Governor or Vice-President for the time being, it shall be lawful for any three Members of any such Council, who may be assembled upon any such occasion, to deliberate, resolve and act in all respects as a Legislative Council, in the same manner as if one of the Judges had been present: And be it further enacted, that all the proceedings at any meeting of any such Legislative Council shall be conducted, as nearly as possible, in the same manner and form as the proceedings before the Governor-General in Council are by statute directed to be conducted, and that no Governor-General or Governor shall have any power, at any such meeting, of passing any law or regulation of his own sole authority: Provided always, that in every case in which any thing is by this Act made to depend upon a majority of any of the Legislative Councils, or of any of the Members thereof, every Governor-General, Governor or Vice-President, shall have a casting vote.

6. Every proposed law or regulation, after it shall have been resolved upon at any lawful meeting of any of the Legislative Councils, shall be sent, in the first place, to the Governor-General, Governor or Vice-President for the time being of the Presidency; and it shall be lawful, upon such occasion, for any Governor-General, Governor or Vice-President, to express his dissent in writing, and to forbid the passing of that law or regulation.

LEGISLATIVE  
COUNCILS.  
&c

Amended Minutes  
of Bill.

See 33 Geo III.  
c. 155, s. 80.

LEGISLATIVE  
COUNCILS,  
&c.

Amended Minutes  
of Bill.

lation, and at once to quash and annul the same, or to direct that it shall be sent round to the other Members of the Legislative Council so resident as aforesaid ; and every such Governor-General, Governor or Vice-President, is hereby required, upon every such occasion, within two days from the receipt of every such proposed law or regulation, either to forbid and annul the same, or to direct it to be sent round to the Members of the Legislative Council, and thereupon copies of the same shall be sent to all the Members of the Legislative Council in which the law or regulation shall have been proposed, who at the time shall be resident within twenty miles of the place where the Council shall have met and resolved upon the law ; and every such resident Member, whether he shall or shall not have attended the meetings of the Council at which such law or regulation shall have been deliberated or resolved upon, shall signify in writing, without delay, his assent or disapprobation thereof ; and if upon such occasion it shall appear, upon the whole, that the majority of the Members so resident as last aforesaid, within the distance of twenty miles, are adverse to the passing of such proposed law or regulation, it shall be abandoned and fall to the ground ; and if any two of the Judges of either of the Supreme Courts, or in case there be only two or only one of the Judges so resident within twenty miles as aforesaid at the time, then if the only Judge, or the Chief Justice, or in his absence the senior Judge of the Supreme Court of the Presidency at which the law or regulation shall have been passed, shall state in writing his or their disapprobation thereof, by reason of his or their opinion and belief that such law or regulation is not within the powers vested by this or any subsequent Act in the Legislative Council in which the law or regulation shall have been proposed, and shall also state his or their grounds or reasons for such opinion and belief, then, unless the Governor-General of Fort William shall expressly direct, in manner and form hereinafter mentioned, that it shall have effect, every such law or regulation respecting which such disapprobation, opinion and belief shall have been so stated as aforesaid, notwithstanding it shall have been approved by a majority of all the Members of the Legislative Council so resident as aforesaid, shall be suspended, and shall have no force nor effect until such time as it shall have been referred to the President of the Board of Commissioners for the Affairs of India for the time being, and to the Directors of the East-India Company, and until the orders of such President respecting the same shall have been received in India ; and the said President for the time being is hereby authorized and required, in all such cases, to submit any such law or regulation to his Majesty in Council ; and after having so submitted the same, and after his Majesty's pleasure thereupon shall have been declared, to issue his orders to the Governor-General of Fort William for the revocation or suppression, or the publication and enforcement of the law or regulation ; and if any such law or regulation shall be so directed to be published and enforced, it shall, after such publication, have the same force, authority and effect, and no other, as if no such suspension as hath hereinbefore been mentioned had taken place : Provided always, and be it further enacted, that whenever any of the Judges shall have so stated his or their disapprobation, opinion and belief as aforesaid, nevertheless if a majority of all the Members of the Legislative Council, so resident within twenty miles as aforesaid, shall have expressed their assent to such law or regulation, and if the Governor-General of Fort William in Bengal, notwithstanding any such disapprobation

probation of the Judges, shall be willing to take upon himself the responsibility of deciding that such disapprobation hath no sufficient foundation, or that the urgent necessity of the case, and the public safety, require that effect should be given to the proposed law or regulation, respecting which such disapprobation shall have been expressed, it shall be lawful for the Governor-General of Fort William in Bengal, to direct that it shall have effect accordingly for eighteen calendar months, or until the pleasure of his Majesty in Council respecting the same, before the expiration of the said eighteen months, shall be declared; and in every such case the Governor-General shall state in writing the grounds and reasons of making such decision, and shall cause the same to be entered upon the proceedings of the Legislative Council by which the law or regulation shall have been prepared, and the same Council shall forthwith transmit copies of the law or regulation, and all the proceedings connected therewith, to the Board of Commissioners and Court of Directors in manner hereinbefore provided, in order that the pleasure of his Majesty in Council may be declared thereon; and in the mean time, for the space of eighteen calendar months, or until the disapprobation of his Majesty in Council of such law or regulation before the expiration of the said eighteen calendar months, shall be declared, the law or regulation so directed by the Governor-General as aforesaid to have effect, shall be to all intents and purposes as valid and effectual in law as if it had been passed by the Legislative Council without any disapprobation on the part of any Judge or Judges having been expressed.

7. The lawful powers of each of the said Legislative Councils to be exercised in manner and form as herein is expressed, shall extend to the making of laws and regulations for repealing, amending or altering of any regulation heretofore made by any Governor-General in Council, or Governors in Council, or hereafter to be made by any of the said Legislative Councils, and to the making of laws and regulations for all other purposes whatsoever, and for all manner of persons, whether British or native, foreigners or others, and for all places and things whatsoever, within and throughout the whole and every part of the British territories in the East-Indies, in the possession and under the Government of the East-India Company, except as hereinafter is excepted, and subject to the conditions and restrictions hereinafter expressed, and at all times and in every respect subject to the full, absolute, and supreme legislative power and control of the Imperial Parliament of the United Kingdom of Great Britain and Ireland: Provided always, and be it further enacted, that the Legislative Council of the Presidency of Fort William shall have full power and authority to make all such regulations and laws for the other Presidencies of Fort St. George and Bombay, but that no regulation or law made by either of the Legislative Councils for the said Presidencies of Madras or Bombay, shall at any time have any force, authority or effect, notwithstanding any confirmation of such regulation or law by the Legislative Council of the Presidency of Fort William, except within the limits of the territories constituting the Presidency by the Council of which it shall have been primarily made.

8. It shall not be lawful for any of the said Legislative Councils to make any law or regulation which shall in any way repeal, vary, suspend, or affect any Act of the Imperial Parliament, nor any Letters Patent of the Crown, nor in any way affect any prerogative of the Crown or authority of Parliament, nor the constitution or rights of the

East-India Company, nor any part of the unwritten law or constitution of the realm of the United Kingdom of Great Britain and Ireland, whereon may depend in any degree the allegiance of any persons to the Crown of the United Kingdom, or the sovereignty or dominion of the said Crown over any part of the British territories in the East-Indies.

9. Except in any such case as hereinafter is specially excepted and provided for, as soon as any law or regulation shall have been resolved upon at any lawful meeting of any of the said Legislative Councils, and shall have been directed by any Governor-General, Governor or Vice-President, to be sent round to the other Members of the Legislative Council, it shall forthwith be published in the Government Gazette, or some other newspaper of the place; and after an interval of not less than fourteen days after such publication, and after a sufficient time shall have elapsed to receive the assent or disapprobation of all the Members of the Legislative Council so resident within twenty miles as aforesaid, the law or regulation shall be laid again before the Governor-General, Governor or Vice-President, to receive his final or further assent, and if any person or persons interested in or affected by any such law or regulation, shall petition any Governor-General, Governor or Vice-President of the Presidency, to take into consideration his or their objections against it, at any time before the final or further assent in writing of any such Governor-General, Governor or Vice-President, shall have been given, the Governor-General, or Governor or Vice-President, shall direct at what time and place any such person or persons shall state his or their objections, and whether by written petition only, or by counsel, or in person.

10. After fourteen days, and at some time not later than two calendar months, from the publication as aforesaid, of any such law or regulation, the Governor-General, Governor or Vice-President, shall express his confirmation or disapprobation thereof, and thereupon every such law or regulation which shall have so received the final disapprobation of any Governor-General, Governor or Vice-President, shall be abandoned and fall to the ground; and every law or regulation made by the Legislative Council of Fort William, which shall upon such occasion receive the confirmation of the Governor-General or Vice-President of Fort William, shall be fully established as a law; and every proposed law or regulation which shall have been made by the Legislative Council of Madras or Bombay as aforesaid, and shall have received the confirmation of the Governor or Vice-President of either of those Presidencies, shall without delay be forwarded to the Governor-General of Fort William in Bengal, who thereupon, within one calendar month after receiving the same, shall either communicate in writing his disapprobation thereof to the Governor in Council or Vice-President in Council of the Presidency at which the law or regulation shall have been made, *in which case it shall be abandoned and fall to the ground, or the Governor-General of Fort William in Bengal, shall cause such law or regulation to be proposed in the Legislative Council of the Presidency of Fort William, in like manner as any other law or regulation, and it shall pass through the same forms, and by the said Legislative Council of Fort William shall be confirmed and fully established, or registered in like manner as if it had been a law or regulation originally brought forward therein, except that it shall not have any force or effect except in the Presidency in which it shall have been primarily made;* and

and no law or regulation of either of the Legislative Councils at Madras or Bombay shall have any force or effect whatsoever until it shall have been so confirmed, and passed into a law and fully established by the Legislative Council of Fort William in Bengal.

11. And whereas occasions may arise in which the usual publication in any newspaper of any law or regulation, before the confirmation and establishment of it by the Governor-General, would be productive of public inconvenience, and in which it may be desirable that effect should be given to the law or regulation with the least possible delay, it shall be lawful in any such circumstances for the Governor-General to direct, that the usual publication in a newspaper before the confirmation of the law or regulation, shall not in that instance take place; and to require also that every Member of the Legislative Council, so resident within twenty miles as aforesaid, to whom the law or regulation shall be sent, shall communicate to the Governor-General his assent or disapprobation within twenty-four hours from the time of a copy of the law or regulation being left at his usual place of residence; and after such time shall have elapsed, it shall be lawful for the Governor-General immediately to decide upon the law or regulation, and to establish and give effect thereto, in like manner as in other cases it hath been provided that he may act in respect of any law or regulation, after the lapse of fourteen days from the publication thereof, in a newspaper.

12. As soon as conveniently may be after any law or regulation shall have been lawfully and fully established in any of the ways aforesaid, the same shall be carefully registered and preserved as a record by the Legislative Council or Councils through which it shall have passed, and it shall be printed and published in the English language; and for the better securing of a general and accurate publication thereof, one printing-office or press for each Presidency, and no more, shall from time to time be licensed by the Governor-General in Council, or Governor or Vice-President in Council of the Presidency, to print and publish the laws of each Legislative Council, and the granting or changing of such licenses shall from time to time be notified by proclamation or public advertisement; and each of the said Legislative Councils shall from time to time make such standing orders as may be most convenient and effective for the due publication of such laws in as many of the languages of India, and in such manner as will most effectually secure a speedy, full and complete promulgation thereof throughout the British territories in the East-Indies, so that the knowledge thereof may be communicated to all who may be liable to be in any way affected thereby.

13. If any person or persons shall wilfully publish any false statement of any law of any of the said Legislative Councils, he or they shall be deemed guilty of a misdemeanor, and shall be punished accordingly; and if any person shall suffer damage or loss in consequence of being misled by any such false statement, it shall be a good cause of his recovering damages in a civil action, to be instituted against the party or parties by whose false statement he shall have been so misled.

14. Within one month after the passing and registering of any law or regulation by any of the said Legislative Councils, the Governor-General in Council, or Governor or Vice-President in Council, shall send duplicate copies of the same to the Court of Directors of the East-India Company, and to the President or Secretary of the Board of Commissioners



Commissioners for the affairs of India, and at any time within one year from the first receipt of any such law or regulation, it shall be lawful for the President of the said Board of Commissioners, after having submitted the same to his Majesty in Council, to transmit to the Legislative Council of the Presidency of Fort William an order for the repeal of the same, and the same shall be forthwith repealed: Provided always, that all acts done under and according to any such law, during its continuance and previous to any repeal thereof, whether such repeal shall take place upon any appeal being made to his Majesty in Council, or otherwise, shall be good and valid; and all persons shall be saved harmless for any thing by them done, or omitted to be done, in obedience to or compliance with any such law before the time at which they shall have had, or with due care and watchfulness might have had, notice of the repeal thereof.

15. It shall be lawful for any person or persons to present an appeal to his Majesty in Council against any such law or regulation so registered and published as aforesaid, at any time within eight calendar months from the publication of the same after it has been fully established as a law, and it shall be lawful for his Majesty in Council at any time to repeal the same.

16. Nothing herein contained shall extend, or be construed to extend, to the affecting in any way of the right or power of the Imperial Parliament to make laws for the British territories in the East-Indies, and for all the inhabitants thereof; and it is expressly declared, that a full, complete and constantly existing right and power is intended to be reserved, and is hereby reserved to the Imperial Parliament of the United Kingdom of Great Britain and Ireland, to control, supersede, or prevent by Act of Parliament all proceedings and acts whatsoever of the said Legislative Council, and to repeal and annul at any time any act, law or regulation whatsoever by the said Councils at any time made or done, and in all respects to legislate for the British territories in the East-Indies, and the inhabitants thereof, in as full and ample a manner as if this Act had not been passed; and the better to enable the Imperial Parliament to exercise at all times such authority, power and right, the President of the Board of Commissioners for the affairs of India shall, once in every Session of Parliament, lay before both Houses of Parliament the laws and regulations of the said Legislative Councils, which since the foregoing Session may have been transmitted to him or to the Secretary of the said Board as hereinbefore is provided; and once in every period of years the said Legislative Councils shall transmit to the President of the Board of Commissioners, and the said President shall lay before both Houses of Parliament the whole of the subsisting laws theretofore made by the said Councils, and then remaining unrepealed and in force; and the said Councils, before such transmission of the same, shall cause the same to be methodically and systematically arranged, and shall annex thereto such tables, indexes, glossaries, and other explanatory documents and materials as may be conducive to the true understanding of the same.

17. All laws and regulations which shall be made and published by the said Legislative Councils in the manner and form hereinbefore provided, as long as they shall remain unrepealed and unaltered shall be of the same force and effect within and throughout the British territories in the East-Indies, and every part thereof, as any Act of the Imperial Parliament is, would or ought to be within the same territories, and shall be

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be taken notice of by all Courts of Justice whatsoever within the same territories, and in every part thereof, in the same manner as any public Act of Parliament would and ought to be taken notice of, without being specially pleaded and put in evidence.

18. Nothing herein contained shall in any way restrict or affect the powers of any Governor-General in Council, or Governor in Council, in any other respect than that of the making of laws and regulations.

LEGISLATIVE  
COUNCILS.  
&c

Amended Minutes  
of Bill.

(Signed) CHARLES EDWARD GREY.  
EDWARD RYAN.

October 13, 1830.

(Signed) CHARLES EDWARD GREY.  
EDWARD RYAN.

A true copy :

(Signed) HOLT MACKENZIE,  
Secretary to the Government.

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No. 32.

No. 24, of 1830.

LETTER from J. Thomason, Esq., Officiating Deputy Secretary to Government, to P. Auber, Esq., Secretary to the Court of Directors, transmitting further Communication received from the Judges of the Supreme Court of Judicature at Fort William.

( Territorial Department ; Revenue. )

SIR :

Fort William, 28th December 1830.

With reference to the concluding paragraph of a despatch addressed to the Honourable the Court of Directors from this Department, under date the 14th October last, I am directed by the Vice-President in Council to transmit Copy of a further communication received from the Judges of the Supreme Court of Judicature at Fort William in Bengal, with its Enclosure, explanatory of their sentiments on the existing system of law and government in India, and the changes contemplated by the institution of a Legislative Council.

2. The papers connected with the subject having already been forwarded to the Honourable Court, with a full explanation of the views of this Government, the Vice-President in Council has not deemed it necessary to offer any observations on the present occasion.

I have the honour to be, Sir, your most obedient servant,

(Signed) J. THOMASON,  
Officiating Deputy Secretary to Government.

Bengal  
Government  
to the Court of  
Directors.

( Fort William, Territorial Department. )

ABSTRACT of Revenue Letter, No. 24, addressed to the Secretary to the Honourable Court of Directors, dated the 28th December 1830.

FORWARDING, with reference to papers transmitted on the 14th October last, copy of a further communication received from the Judges of the Supreme Court of Judicature at Fort William in Bengal, with its Enclosure, explanatory of their sentiments on the existing system of law and government in India, and the changes contemplated by the institution of a Legislative Council.

(Signed) J. THOMASON,  
Officiating Deputy Secretary to the Government.

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No. 33.

LETTER from the Judges of the Supreme Court to the Vice-President in Council, forwarding, with their sentiments, Copy of a Letter addressed by them to the Secretary of the India Board, relative to the existing system of Law and Government in India, and the changes contemplated by the institution of a Legislative Council.

Court-House, 16th December, 1830.

HONOURABLE SIRs :

Judges of  
Supreme Court  
to Vice-President,  
with Enclosure.

1. We have been prevented by the business of the Term and Sittings from replying earlier to the Letter of the Governor-General in Council of the 9th of October.

2. We now enclose a copy of our Letter of the 16th October to the Secretary of the India Board, which was sent by the Euphrates, and of which a draft was put into the hands of the Governor-General early in October. Several alterations have been made from the draft, and towards the close a difference of opinion between ourselves is noticed, which perhaps affects the perspicuity of that part of the letter. It became necessary, however, to state that difference of our views too late to afford time for making every part of the concluding paragraphs consistent with it; and we trust that no obscurity has been produced which will render our opinions unintelligible or dubious to those who have thought upon the subject.

3. In the same spirit of frankness with which our previous correspondence has been conducted on both sides, we proceed to offer such remarks upon the second and subsequent paragraphs of the Letter of the Governor-General in Council as appear likely to conduce to a better understanding, without leading to any useless or unnecessary discussion.

4. The principles applicable to conquests by the Crown, we consider to be those which were stated by Lord Mansfield, in the case of *Campbell v. Hall*, as it is reported in the twentieth volume of Howell's State Trials; and we are not aware of any case of conquest by the Crown, either directly or by means of subordinate government, in which they would not be justly and conveniently applicable; though undoubtedly India has presented the greatest and the most difficult occasion of all that have ever occurred. Those principles

ciples acknowledged the obligation of treaties, agreements and capitulations, according to the real intent of them ; from the moment that the state of war is terminated by proclamation they restore to a conquered people their own laws and usages, excepting the change of sovereignty, and such alterations as are expressly made by the conquering power ; they secure to the King, or his duly authorized representative, the right of making at once and upon the spot those alterations which may be necessary, a power which, without extending to the infringement or abridging of any portion of the law or constitution of the United Kingdom, renders it easy to modify and regulate, without delay, the laws and usages of the new territory to such an extent as may be necessary, on account of those British subjects who may have been employed in the conquest, or who may at first resort thither ; and they recognize the unlimited authority of the King in Parliament to make further alterations to any extent. There is nothing in these principles which is adverse to the constituting by Parliament of local legislatures, nor even to the delegation by Parliament, as in the case of India, of other powers which are sovereign in the hands of the Crown or Parliament, but which cease to be sovereign when held by delegation and under control ; nor is there any thing, as it appears to us, which is at variance with the British constitution, in permitting within a newly-acquired territory the existence even of a despotic form of government if it has existed there before, to which no other British subjects but the newly-conquered ones, who have previously lived under it, can be made in any way liable, unless by their own choice and act ; and which Parliament may at any time alter as it sees fit.

5. We entirely agree that the Imperial Parliament of the United Kingdom is not the place for all the details of Indian legislation, nor generally for the regulation of the internal affairs of India ; and that as long as this country is governed by England, these ought always to be provided for, either by a separate body politic in England, or a local legislature in India, or rather by both of these. But we are at least as fully satisfied that it is of vital importance to England, that in matters of legislation those bodies should be the Ministers of Parliament, and absolutely subject to its authority, and that means should be secured whereby, at all times the intentions of Parliament, and when it chooses to interfere, its specific enactments, may be sure of being carried into effect. Instances, undoubtedly, might be adduced in which evils have been avoided in India by the force of circumstances having deadened the impulse of parliamentary enactments ; but such necessities will be less likely to occur as India comes to be better understood, and at any rate a danger incalculably greater and worse for England would arise from the existence within it, of any power resting upon legislative bodies in India, not really dependent upon Parliament, and at whose disposal and command the revenues of India should be placed.

6. We are sorry to observe that we had not expressed the opinions which we were invited to give upon the subject of a code of laws, so as to prevent a misapprehension of our sentiments as to some points. We did not intend to suggest that the Hindu and Mahomedan laws of property in moveables should at once be abrogated, but only to point out that, except as to the succession to moveables, including the law of adoption, there is not any very important difference between those laws and our own. We hoped we had sufficiently manifested our aversion to every violent, hazardous, or hasty change. It was our intention to recommend in every thing a slow and cautious progress ; and that there

LEGISLATIVE  
COUNCILS,  
&c.

Judges of  
Supreme Court  
to Vice-President,  
with Enclosure.

LEGISLATIVE  
COUNCIL,  
&c.

Judges of  
Supreme Court  
to Vice-President,  
with Enclosure.

should be no show of doing what it is impossible to accomplish. One of us entertains a strong conviction that it is so impossible to provide immediately any fixed laws for the whole of India, that it is desirable no new laws at all, which apply with any minuteness to the subject-matter of them, should be attempted at present, except for a limited district. To him it appears that, for the mass of the territories, economical regulations are all that can be well enacted for some time to come ; but if there were a harmonious co-operation of all part of the Government, he believes it to be quite practicable, without any violence, hazard or hurry, to establish and carry into execution a sound and complete system of law for a moderate portion of territory around the seat of Government ; and that it is in the highest degree desirable that this object should not be renounced, because more cannot instantaneously be attained.

7. He cannot think that the Government would be at all placed in the position which is contemplated in the tenth paragraph of the Letter of the Governor-General in Council. His suggestion is that the existing system of law and government, with such general amendments as may be presently practicable and expedient, should be continued in all the provinces except that one which immediately surrounds the seat of Government ; and that throughout all the wide extent of the others, British persons whilst resident there should lose the rights of English law, and be subject to the same regulations with the natives ; but that in the one province adjoining the seat of Government, without any further adherence to English forms or rules than may be necessary to secure the complete subordination to the United Kingdom, a more definite law, a more perfect administration of it, and more precise and certain rights of person and of property, than it is possible all at once to secure to the whole of India, should be established ; and established, not for British persons only, but for all, yet to be entirely superintended and regulated by a Legislative, a Judicial, and an Executive Council, the last of which would be the Governor-General in Council, and in each of the two first the Governor-General and one Councillor would preside. This surely could not afford the pretence which is apprehended in the Letter of the Governor-General in Council for an insinuation that the other provinces were wilfully left to a system which it was thought unjust to apply to our own countrymen, and when a repugnance is so strongly expressed to the passing of what is called a sentence of virtual outlawry of the natives. Sir Charles Grey requests that it may be remembered to have been his proposal to leave to the natives all the protection of law which they now have or ever had, and to give them as much more as may be possible ; to bring British persons within the regulations now applicable to the natives in one space, and natives within a law adapted to the British in another ; and by degrees to extend the latter system, but with all the caution and deliberation which such an undertaking would require. Surely it is the continuance of the existing distinctions rather than this scheme, which merits, if either of them does, the appellation of an outlawry of the natives, and it must at the moment have escaped the attention of the Governor-General in Council, that the provinces subordinate to this Presidency have been for more than seventy years, and now are subject, but if this plan hitherto were to be adopted, would no longer be subject to a scheme of laws and judiciary system which it has been, and is still thought either unjust or inexpedient to apply to our countrymen who inhabit India.

8. What

8. What should be exactly the extent and boundaries of a province of Calcutta, is not a matter of first-rate importance. The main point is, that some *locus standi* should be secured for what may really deserve the name of law. The consideration which suggested the particular district named by Sir Charles Grey, was chiefly its clear and distinct boundary; but it would certainly be desirable to include the suburb of Hourah, and perhaps more than that on the western bank of the Hooghly, even if something less than the Delta of the Ganges were to be taken on the other side; but if the Delta by itself is thought to be too inconsiderable, perhaps it would not be thought too much to add to it the district on the western bank of the Hooghly which lies between the Roopnaram and the Adje rivers, taking the high road which runs from Keerpooy through Burdwan and Mungulcote, as the western boundary, but including the two latter towns. Since 1726 Calcutta has been a British town and subject to the English law. The lapse of more than a century, the establishment for the last twenty years of a free trade, the prospect of an increasing intercourse with Europe, the altered condition of India, of the United Kingdom and of the world, would seem to be sufficient reasons for substituting now a country for a town; but the proposal of Sir Charles Grey does not involve an adherence to the system now established in Calcutta. He is well aware of the evil of attempting too closely to adhere to English forms of law and procedure in India, and of the mischief of a separation and opposition between an English and an Indian system, and of other evils which he is not the less desirous to avoid for the future, because he is unable to remove them at present. He would not wish any other distinction between the province which would be the seat of Government, and the rest of the territories, than that in the one a system of law should be established with a firmness and precision which he feels confident might be attainable there, but which he strongly apprehends would be impracticable at present for the whole of India; yet for the rest of the territories he has never contemplated the necessity of anything approaching to martial law or a "military" despotism. He would leave for the present to the rest of the territories what they now have. He would give to one district something better. If, instead of this, Calcutta should be put upon the same footing with all India, he is apprehensive that it might operate as a dissolution of all law, that no constant and steady execution of regulations, made with any fullness of detail for all India, could either be insisted on or expected, but must come to depend upon the will of the local executive power, which must itself be influenced by the infinite and fluctuating considerations of temporary convenience arising out of the vast and unsettled field of Indian Government; that neither British persons, nor any others in this country, would have anything which they could claim as of right; and that the authority of the controlling powers at home would come to be merely nominal. On the other hand, it can scarcely upon consideration be thought by the Governor-General in Council, that the proposed scheme of beginning with a single province would be either impracticable or difficult, inasmuch as it consists mainly of a restriction to a narrower sphere of that which the Governor-General in Council would attempt for the whole range of India. It can scarcely be liable to the imputation of injustice to the natives, inasmuch as it would take from them nothing which they have or ever had, but would confer on them a great deal which they have not. Sir Charles Grey will add to these considerations a statement of his belief, that it is only in this way it is at all probable that the Crown

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and Parliament would assent to the British settlement at Fort William being subjected in legislative and judicial matters to the Government of the Company, unless arrangements could be agreed upon, by which the authority of the Crown and Parliament, in the control and direction at home of Indian affairs, could be rendered more immediate efficient and real than it is at present, or ever has been.

In conclusion, we beg leave to say, that if any further communications on our part should be thought desirable, it will at all times give us the greatest pleasure to enter upon them.

We have, &c.

(Signed) CHAS. EDW. GREY.  
EDW. RYAN.

(Enclosure.)

No. 34.

LETTER from the Judges of the Supreme Court to the Secretary of the Board of Commissioners for the Affairs of India, relative to the existing System of Law and Government in India.

SIR :

Court House, Calcutta, 16th October 1830.

Judges of  
Supreme Court  
to Board of  
Control,  
with Observations  
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1. We have now the honour of complying to the best of our abilities with the request contained in your Letter of the 15th of November last.

2. To exhibit distinctly our view of the circumstances in which the Court is placed, it is necessary to go through a statement which we do not only fear will be tedious, but of which the substance must be familiar to the President and Board, yet the facts have been regarded in such different lights, that unless we communicate our own impressions of them, the foundations on which our opinions rest will be liable to be misapprehended.

3. The first East-India Company was constituted for the establishing and improving of a difficult and valuable trade for a limited time ; and with a reservation to the Crown of a power to revoke the Charter when the good of the nation might require it.

4. In the reigns of William III. and Queen Anne the old Company was induced to surrender its charters ; its corporate capacity was terminated, and its members were admitted into another Company which had been constituted, not by the Crown alone, but by Act of Parliament, and by Letters Patent of the Crown issued in pursuance of the Act, and a power was reserved of entirely putting an end to the United Company after a certain time and upon a certain notice, and upon the repayment of a sum advanced by the Company to the Crown.

5. The possessions of the old Company in the East-Indies were transferred for a valuable consideration to the new one, and they were principally the island of Bombay, a town and fortress at Madras, and another at Calcutta. These three places, of which the property was then in the United Company, or those who held under them, were plainly recognized by the Crown in 1726, in Letters Patent of that date, to be British settlements, and within the King's peace and allegiance, and the Company who accepted the Charter must be deemed to have been parties to it.

6. Bombay had long been severed from the Mogul empire, but Madras and Calcutta probably

probably were considered, even subsequently to this period, by the Indian Princes whose territories surrounded them, as nothing more than factories in which they had given a property to the Company, and allowed them to raise fortifications for their defence in times of disturbance.

7. In 1730, the Company was declared in explicit terms by the statute of the 3 Geo. II. c. 14, to be a perpetual corporation, and to be entitled as such, to continue to trade in common with other British subjects, if at any time their privilege of an exclusive trade should be terminated. There had been a previous Act in 1710, intended probably to have the same effect, but of which the language was rather obscure and uncertain.

8. The powers of political government, which had been given by the British Crown and Parliament, whether to the new Company or the old, down to the year 1767, were calculated mainly and almost entirely for the defence and protection of the three settlements above mentioned and the subordinate factories, and of the great trade of which they were the principal seats.

9. In 1757, however, in the recovery and protection of the settlement at Calcutta, an operation in which the Company were assisted by the King's forces, the abilities of Colonel Clive were so much more than equal to the occasion, that he suddenly found himself the conqueror of the whole of the rich and populous provinces of Bengal, Behar and Orissa; the capital was in his possession, and the Subahdar or Viceroy, whom he had defeated in battle, was killed by one of his own people. Colonel Clive and Admiral Watson, whilst the contest was going on, had promised a Mahomedan officer of the enemy, that if he assisted them, he should be Subahdar, and Colonel Clive accordingly made him assume the title and state of Subahdar of the three provinces, though he had no claim by any appointment of the Mogul Emperor, nor by any hereditary right, but depended entirely upon the support of Colonel Clive, whose act must have required in this case to be ratified by the British Crown, before it could be considered as standing in the way of any arrangement which the Crown or Parliament might choose to make respecting the conquest.

10. To pass over intermediate events, the Governor and Council of Fort William, on the part of the East-India Company, in February 1765, made an agreement with the successor of this Subahdar, of which the substance was, that he should have the title and rank of Subahdar and Nazim of Bengal, Behar and Orissa, but that the Company should nominate a deputy Subahdar, who should not be removable without their consent, and who should have the management of all public affairs, including the revenue and the appointment of officers in that department, but that these should be liable to be removed on the application of the Company. A British person, appointed by the Company, was to be always resident with the Subahdar, and no European was to be admitted into his service. The Subahdar agreed that the opinion of the Company should be the criterion of what would conduce to his honour and reputation, and the whole military force was put into the hands of the Company, to whom Burdwan, Midnapore and Chittagong, three districts in Bengal yielding a large revenue, had been some time before assigned for the purpose of their maintaining an army.

11. At a later period of the same year, 1765, the Company obtained from the Mogul Emperor,

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Emperor, who for some time had lost all real power in the Lower Provinces, a firmaun, which purported to be a grant in perpetuity of the whole revenues of Bengal, Behar and Orissa, upon condition of their providing for the expenses of the Nizamut, and paying to the Emperor annually twenty-six lacs of rupees.

12. In this manner within a short time, and before the close of the year 1765, the Company had taken into their hands all the means and forces of Government throughout Bengal, Behar and Orissa; and as a perpetual right to the land revenues necessarily implied the right of entering and measuring the lands, and of ejecting the tenants upon failure of payment, it was absolutely incompatible with any adverse possession in other hands of the dominion of the country. There were then but three modes in which it seems to have been possible to contend that the Company had the right to keep the powers they had obtained; first, as filling the offices under the Mogul Emperor of perpetual Dewan and Commander of the Army in these provinces, and as holding in perpetuity the three districts of Burdwan, Midnapore and Chittagong, with all such rights annexed as the Subahdar had formerly enjoyed; secondly, as having become, in fact, themselves the sovereigns of Bengal, Behar and Orissa; or, thirdly, that as British subjects they had obtained them by conquest and treaty, in trust for the British Crown. It would not have been reasonable that a Company which had been created by the British Parliament, and was composed for the most part of natural-born British subjects, to whom the temporary privilege had been given of excluding all other British subjects from the sea-coasts of more than half the globe, should have seized the opportunity afforded by these privileges to secure to themselves a power, either as independent potentates, or as servants of a foreign prince, which might be turned to the injury of the country to which they owed their political existence; accordingly the British Parliament, by the Act of the 13 Geo. III. c. 63, seems to have decided that the last of the three forms stated above was the only one in which the Company could be permitted to hold what they had so unexpectedly acquired; and as the circumstances were such as had not been at all contemplated when their Charter for trade was granted, under the statute of the 9 William III., and as those circumstances might vitally affect the interests and constitution of Great Britain, provisions entirely new and different were justified and required by the occasion.

13. There was one difficulty, which would not perhaps at the present day have been thought so considerable as it was then. It was imagined that the land revenues, after defraying the expenses of Government, would still yield a large surplus, and this the Company claimed as their lawful profit, and that they had a property in the revenues. On the other hand, it was contended, and indeed it was resolved by the House of Commons, that the revenues belonged to the State. This ended in a provision, which still in effect subsists, that the revenues and territorial acquisitions should remain for a limited period in the possession of the Company, without prejudice to the claim of the nation; and the matter is now of less consequence than it was formerly, since the expenses of Government, to which the territorial revenue is specifically appropriated by Act of Parliament, are such as to make it unlikely there will be any great surplus after discharging the public debt unless taxes should be imposed to a considerable extent; and even in the event of a surplus, by a temporary provision in the statute it is allotted, in ascertained shares, to the Company and the public.

14. To a certain extent the statute of the 13 Geo. III. c. 63, seems to be clear and decisive. It put an end to all question as to the dependence of the Company on the Parliament, and as to the absolute right of the British Legislature to regulate and direct the whole powers of political government which the Company might then have or thereafter acquire. The Parliament itself nominated in the statute the five persons who for the next five years were to be the Governor and Council in Bengal, and who were not to be removable by the Company, reserving to the Company the power of appointing subordinate agents for the management of their commercial affairs; and although the Governor and Council were subjected to the lawful orders of the Court of Directors, the Directors were placed, as to matters of government, under the superintendence of the High Treasurer or Commissioners of the Treasury and one of the Secretaries of State. The powers of government which the Company had before possessed under the Act and Charter of the 9 and 10 William III., and which were adapted to the management of a few stations held for the purposes of trade, were merged in those larger and more general powers which were now vested by statute in a Government calculated for the administration of the affairs of several populous and rich provinces. Since that time the corporate capacity, the right to trade, and the property of the Company, have been in law, and according to statutory provisions, a distinct and separate thing from their powers of political government. The first are secured by a Charter, which is permanent, and unless forfeited, cannot without a violation of constitutional right be annulled; their powers of government are entrusted to them for a fixed period, beyond which, they depend in all respects upon the will and pleasure of the Parliament. Unfortunately these matters are not so easily distinguishable in fact, as they are in law, and they have continued to be entangled at several points, and are frequently confounded in the minds and language of those who think and speak about them; and it must be allowed, that although the Company's powers of government, whatever they were at the period of which we are speaking, were entirely subjected to the British Crown and Parliament, it was not, even in law, made quite so plain and certain how far and in what manner it was meant to assert the sovereignty of the Crown and the authority of Parliament over the provinces in which these powers were to be exercised, and especially to what extent it was intended that the powers of legislating and of administering justice, which had existed under the former governments of the country, should survive the change which had taken place. The title of the Act implied only the establishment of regulations for the affairs of the Company, not the establishment of dominion and law over the whole of a newly-acquired territory and its inhabitants; there was no formal declaration in it, even of the sovereignty of the Crown; the settlement at Fort William, and the factories and places subordinate thereto were mentioned distinctly from the provinces at large; and there were many expressions and provisions whence it might be inferred that the inhabitants of the provinces were not considered as having become British subjects, which would have been the legal consequence of the provinces having become British territory. But, on the other hand, the whole civil and military powers of Government throughout the provinces had, for some time, been in the hands of the Company; and the governments newly nominated and appointed by Parliament were directed to exercise the same, including the ordering and management of the revenue, which, as we have stated, was absolutely inconsistent with the

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the dominion of the country being in any adverse possession; and there is no supposition on which it can be conceived to have been intended by the British Parliament, that British persons, appointed by the King in Parliament to exercise all the powers of Government, should exercise them in any subordination, either formal or substantial, to any other Crown than that of Great Britain itself. Since that period neither the Mogul Emperor nor the titular Subahdar and Nazim, have ever been permitted to do any important act of authority within Bengal, Behar or Orissa. In the course of the debates which preceded the statute, the House of Commons had resolved, with reference to the revenues and territorial acquisitions, that "all acquisitions made by treaty with foreign princes did of right belong to the State;" and by the statute they were declared to be left in the possession of a British Company by the permission and will of the British Parliament. By the Charter of Justice, which was granted under the Great Seal in the next year, 1774, writs in the King's name were directed to be issued into every part of the provinces of Bengal, Behar and Orissa; and it has never from that time until this been disputed that these writs, against certain classes of persons at least, have always been legal, and of as full force and effect in the outer borders of the provinces as in the town of Calcutta, or as in England itself. The writers, too, who have been the best qualified to pronounce an opinion upon this subject, and amongst the rest Mr. Harrington, a chief Judge of the Sudder Adawlut, who wrote and published, with the sanction of the Court of Directors, an Analysis of the Laws and Regulations of Bengal, have always dated from this statute, or from the earlier era of Clive's conquest, that sovereignty of the British Crown over Bengal, Behar and Orissa, of the present existence of which throughout the British possessions in India there cannot be any question.

15. Perhaps in these circumstances the most consistent and tenable ground on which the enactments of the statutes of the 13 Geo. III., c. 63, can be placed, is the supposition of the sovereignty of the British Crown and the authority of Parliament having been fully established by it, or by what had previously taken place; but that it was not intended to abrogate the previously existing laws of the new territories further than was expressly declared, nor all at once to abolish or preclude the powers of legislating and of administering justice, which the Company had obtained from the former governments, but only to subject these to the control and regulation and to the will of the Crown and Parliament, at the same time that means were afforded to the Indian Government of bringing the whole territories gradually into a subordination to the settlement at Fort William, and of making regulations by which, under the control of a Supreme Court of Justice, one uniform system of law and government, not repugnant to the laws of England, might ultimately be established. To leave for a time to the old forms of government a distinct existence was not only the course which the difficulties of the case seemed to point out, but it was perhaps, in some degree, required by good faith, and was recommended by considerations of humanity. It seemed to be implied in the grant by which the Dewanny had been given up, and in the agreements which the Company had made with the Subahdars whom they had set over the provinces, that for a time at least, the Nizamut or Mahomedan government of the provinces should be maintained. The Crown and Parliament, though they had been no parties to the agreements, had not cancelled them, and were certainly bound in justice, if they took any benefit from them, to observe the

the conditions which might be annexed ; and although the obvious intention of those who were parties to the grant of the Dewanny, and the plain meaning of the words were only that the Mogul Emperor should not be called upon for any of the expenses of the Nizamut, it might be contended, that the use of the terms “ Nizamut ” and “ Dewanny,” which were well known offices, including the whole government, implied some retention of its Mahomedan forms and character, and under the existing arrangements with the titular Subahdar, there was a system of Mahomedan government in action in the provinces, at the head of which was placed a native, nominated by the Company as Naib Subah or Deputy Subahdar. Upon the supposition, that the statute established the sovereignty of the British Crown over the provinces, it would have followed, but for these considerations, that the existing inhabitants would have become, not naturalized, indeed, but still British subjects, though with the liberty of removing themselves and their property. Lord Mansfield’s declaration of the law on this point, in the case of *Campbell* against *Hall*, in the very year in which the Charter of Justice was granted, must be held to be conclusive, and to have expunged the barbarous tenets of some lawyers of a former time, that a people uninstructed in the Christian religion could neither claim protection as their right, nor owe allegiance as a duty, to the British Crown. But if the Act and Charter passed upon the supposition of the Nizamut and Dewanny being maintained in their Mahomedan form, except where Parliament had expressly altered them, or might afterwards interfere to do so, those who at the time were living under the Mahomedan system of government in the provinces, might be considered as entitled, notwithstanding the territory had become British dominion, to stand in something like the same relation to the British Crown, as the European inhabitants of factories had been permitted to maintain with the Mogul Sovereigns and other Indian Princes, a relation which preserved to them their character and rights, respectively of British, French, or Dutch subjects, though inhabiting the territories of a foreign Sovereign. It was no longer indeed, as it seems to us, possible to contend, that the natives born subsequently within the provinces would not be subjects of Great Britain, but they might perhaps be considered to be so by reason of their being subjects of an Indian realm which had become a dependency of the British Crown and Parliament, but which still retained, by permission of Parliament, some distinct powers of legislation, and of administering justice, as portions unabrogated of their former laws. It was the more reasonable to lean to this interpretation, because the Mahomedan and Hindu inhabitants of these provinces, like the clients under the Roman law, or the vassals of the feudal system, and indeed the common people in every other state of government in which numerous chieftains or heads of political or religious classes exist, had been accustomed to think more of their fealty to the immediate chief, upon whose land, or under whose protection or patronage they lived, than of the allegiance due to a common and supreme sovereign ; the country was in a state in which the people ranged themselves under different flags, rather than according to the boundaries of territory ; the Hindus and Mahomedans could not suddenly, and all at once, have been brought under an entirely new and fundamentally different system of laws without the most extreme difficulty and inconvenience ; and as to the Mahomedans, there was the further consideration, that their Koran enjoined obedience to those rulers only who protected their religion. No lasting inconvenience was neces-

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cessarily connected with this view of the case, treaties among Indian Princes, unless there was some special provision in them of a more permanent character, had been for the most part considered by themselves as binding only during the lives of those by whom they were made. Subsequent experience has shewn, that the expounders of the Koran find no difficulty in reconciling the allegiance of Mahomedans with that degree of toleration and protection of their religious usages, which the British Parliament has felt no difficulty in sanctioning; and as far as it was consistent with treaty, the Parliament is supposed to have always had the power and right, whenever it might choose to interfere, of modifying and altering those remnants of Mahomedan government which it permitted to exist in a distinct state. Thus the subsequent existence of the Nizamut is reconciled with the statute of 13 Geo. III. c. 63; but is not supposed to have been left upon so stable a foundation as to have prevented it from being moulded into a more British form, when those were dead who had personal claims to insist on its continuance; and when the next generation of natives, without any abrupt offence to their prejudices and habits, might be brought more immediately under the influence of British institutions. The exercise also of certain powers by the British Government is explained, which cannot, strictly speaking, be shown to be derived from Parliament, though subsisting only by its permission, and to be exercised in subordination to its authority and will.

16. The first establishment of the Supreme Court of Judicature at Fort William was directed by the statute on which these observations have been made. The object in making them has been to explain the powers and jurisdiction which were given to the Court, and to show at the same time how imperfectly defined were the foundations on which it was placed, and by how many obscure difficulties it was surrounded. For these purposes there are still some other facts which it is necessary to revive and bear in mind. The East-India Company had very early been empowered to establish Courts, and in many cases to put in force within their settlements and factories the English laws, and a similar power was given to the new Company by the Charter of the 10 William III.; but in 1726 these Courts had been superseded, and there had been established at each of the settlements of Madras, Bombay and Calcutta, by Royal Charter, a Court consisting of a Mayor and Aldermen, for the trial of civil actions, and a Court of Oyer and Terminer, consisting of the Governor and Council, for the trial of criminal offences, and the Governor and Council were also constituted Justices of the Peace, and had continued to be so from that time. This Charter was surrendered, and a new one granted in 1753, with some alterations; but not such as to change materially the structure of the Courts as stated above. These Courts at Calcutta were acknowledged by all persons after the conquest of Clive, to be no longer sufficient for the administration of justice. Besides their powers of political government, and their rights connected with the general revenue under the grant of the Dewanny, the Company claimed the three districts of Burdwan, Midnapore and Chittagong, as entirely belonging to them, and the property also of a large zemindarry lying to the south, but beyond the boundaries of Calcutta; and they had enjoyed for themselves and their servants the privilege of trading free of duty throughout the provinces. There had been several factories and smaller stations, called *Aurungs*, in different parts of the provinces, where their agents and servants, and makers of salt, and weavers, and other persons employed by them, or living under their flag and protection,

protection, were collected, and whence the upper agents traversed the country in all directions: some of them were guilty of many violent and oppressive acts, and a state of the greatest disorder had ensued. It was expressly with a reference to these circumstances, to the insufficiency of the former Courts, and for a remedy of these evils, that the new Court was directed to be established; and the statute fixed the outline of its powers and authority, which were to be more distinctly and specifically developed in a charter to be granted by the Crown in pursuance of the statute.

17. The statute provided that the Court should exercise all civil, criminal, admiralty and ecclesiastical jurisdiction; and that it should be a Court of Oyer and Terminer and Gaol Delivery, for the town of Calcutta and factory of Fort William in Bengal, and the limits thereof and the factories subordinate thereto; and that the charter to be granted by the Crown and the jurisdiction and powers to be thereby established, should extend to all British subjects who should reside in Bengal, Behar and Orissa, or any of them, under the protection of the Company; and that the Court should have full power to hear and determine all complaints against any of his Majesty's subjects for any crimes, misdemeanors or oppressions, and to hear and determine any suits or actions against any of his Majesty's subjects in Bengal, Behar and Orissa, and any suit, action or complaint against any person who at the time of the cause of action arising should be employed by or in the service of the Company, or of any of his Majesty's subjects, and should hear and determine any suits and actions of any of his Majesty's subjects, any inhabitant of India, residing in Bengal, Behar and Orissa, upon any agreement in writing where the cause of action should exceed 500 Rs., and where it should be agreed that in case of dispute the matter should be determined in the Supreme Court, and that such suits or actions might be brought in the first instance before the Court, or by appeal from the sentence of any of the Courts established in the provinces. That the Governor-General and Council, and the Chief Justice and other Judges of the Supreme Court, should have full power and authority to act as Justices of the Peace for the settlement at Fort William, and the several settlements and factories subordinate thereto, and to do all things to the office of a Justice of the Peace appertaining, and for that purpose the Governor and Council were authorized and empowered to hold Quarter-Sessions at Fort William four times in the year; that in cases of indictment or information laid or exhibited in the Court of King's Bench in England, for misdemeanors or offences committed by Governors or Judges in India, the Court of King's Bench might award a *mandamus* to the Supreme Court, requiring it to examine witnesses and receive proofs, and to issue such summons or other process as might be requisite for the attendance of witnesses; and in case of any proceedings in Parliament touching any offences committed in India, that it should be lawful for the Lord Chancellor and Speakers of the two Houses, to issue their warrants to the Governor-General in Council, and the Judges of the Supreme Court, as the case might require, for the examination of witnesses; and such examinations duly returned should be good and competent evidence. A like power of directing to the Supreme Court writs of *mandamus*, or commissions to take evidence, was given to all the King's Courts at Westminster in actions or suits of which the causes should have arisen in India, but an exception was made that depositions taken in this manner should not be evidence in capital cases, unless in Parliament.

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18. In stating the fuller and more express ordinances of the Charter by which, in the following year, the Court was established, it may be as well, for the sake of brevity, to pass over the authority of the Court as a Court of Equity, of Admiralty, and an Ecclesiastical Court, and to describe only its other powers and jurisdictions, namely: First that which the Justices of the King's Bench have in England by the common law, and to be exercised especially for the conservation of the peace; secondly, the hearing and determining of pleas in civil actions; thirdly, its jurisdiction as a Court of Oyer and Terminer and Gaol Delivery; and fourthly, powers to be exercised in assistance of the proceedings, criminal or civil, instituted in Parliament, or in the Superior Courts in England for causes of action or offences in India; and it ought to be borne in mind, that whatever reason there may be to suppose that the statute of the 13 Geo. III. c. 63, was somewhat imperfectly worded by reason of its being the production, not of calm leisure and clear views, but of a struggle of parties, after the attention of all had been exhausted and their conceptions disturbed by the disputes of several successive Sessions, there is no ground for thinking that the Charter itself, though its form must have depended in a great measure upon the statute, was drawn up otherwise than with great care. The case of *Campbell* against *Hall*, which was heard and decided in that very year, shows how much the minds of some of the principal lawyers of the time, and especially Lord Mansfield, had been engaged in those great questions which the Charter involved; and it is known that it was subjected to the inspection of Lord Thurlow, Lord Loughborough, Lord Bathurst, and Lord Walsingham, and received their corrections and amendments.

19. Justices of the Peace had been established at Madras, Bombay and Calcutta, since 1726, and the statute of the 13 Geo. III. c. 63, enacted, that the Governor-General and Council, and the Judges of the Supreme Court, should be Justices of the Peace for the settlement of Fort William and the settlements and factories subordinate thereto; and the Governor-General in Council were directed to hold Quarter-Sessions at Fort William. By the Charter which followed the statute, the Court of Quarter-Sessions and the Justices were made subject to the control of the Supreme Court for any thing done by them while sitting as a Court of Quarter-Sessions or in their capacity of Justices, in the same manner and form as the inferior Courts of Magistrates in England are by law subject to the order and control of the Court of King's Bench; and the Supreme Court was empowered to issue to them writs of *mandamus*, *certiorari*, *procedendo*, or *error*. By the fourth clause of the same Charter it was ordained, that the Judges of the Supreme Court should respectively be Justices and Conservators of the Peace, and Coroners within and throughout the provinces, districts and countries of Bengal, Behar and Orissa and every part thereof, and should have such jurisdiction and authority as Justices of the Court of King's Bench have within England by the common law thereof. It has not, as far as we are aware, been questioned that under these provisions there was given to the Supreme Court the same power and control over the Court of Quarter-Sessions and over any of the individuals, amongst whom was each of the Judges themselves, who were constituted Justices of the Peace, as the Court of King's Bench has over Justices of the Peace in England; nor can it reasonably be contended that the authority of the Judges in this respect was limited to the settlement at Fort William and the factories and places which had been subordinate to the settlement before Clive's conquest;

conquest; for, first, not only were the powers given in the fourth clause of the Charter expressed to be such as the Justices of the King's Bench had by common law, which, not being those of local Conservators of the Peace merely, nor such only as were possessed by the other Judges, are known to have extended wherever the King's Peace was to be preserved; but those who framed that clause of the Charter, as if to prevent the possibility of doubt, took care to employ the words "throughout the provinces and every part thereof;" words which, except by a counsel in support of his case, can never be supposed to have been heedlessly used; or to have been meant when sanctioned by the Great Seal, to be treated as an empty form by the Judges to whom the Charter was given as the text of their duties. Secondly, the principal motive which led to the establishment of the Court, was a desire to prevent the violence and oppression of which British persons and other agents of the Company were guilty in the provinces, and for the correction of which the former Courts were declared insufficient. This could not have been expected of the Court if the Judges were to have power, as Conservators of the Peace only at Fort William or in the scattered factories, and to be powerless in the interjacent spaces, whilst British persons, who were acknowledged to be independent of the Nizamut and Mahomedan laws, might range the provinces at large. If a murder was committed, or false imprisonment made in the provinces by a person amenable only to the Supreme Court, it was necessary that the Judges, as Coroners and Conservators of the Peace, should have a right of instant investigation and of affording immediate relief. Their powers would not have been adapted to the increase of territorial acquisitions, or in any way more effectual than those of the former Justices of the Peace, if they had been confined within the same bounds. Thirdly, it never has been contended that writs of *habeas corpus* to release from wrongful imprisonment may not be issued, or that they have not been lawfully issued to British persons in the provinces; and we apprehend that it is upon the fourth clause of the Charter that the power of issuing any writ of *habeas corpus* at all will be found to rest; and that in this respect at least that clause is something more than idle words, and that the powers of the Judges given to them by it, are not merely those of ordinary Justices, but such as belonged to the Justices of the King's Bench by the common law. Fourthly, it was in no way inconsistent with the supposition of the provinces being a distinct subordinate realm, that the King should appoint Conservators of the Peace there with the fullest power. It never has been questioned, that the process of the Court as a Court of Civil Pleas and a Court of Oyer and Terminer was intended, as against British persons, at least to run through every part of the provinces, and for the purpose of enforcing the attendance of witnesses; this has not been restricted to British persons, but is compulsory upon the native inhabitants, as well as others. This being the case, it would have been difficult to find any good reason for confining to narrower local bounds the powers given to the Judges for the conservation of the peace; nor has there ever been any way in which the process of the Court, in any of its several capacities, could be effectually enforced or supported, unless by a co-extensive power of preventing a riotous resistance of it. Lastly, this point seems to be placed beyond doubt by the 33 Geo. III. c. 52. s. 151, in which it is declared, that the Governor-General in Council, and the Judges of the Supreme Court, had theretofore been authorized by the law to act as Justices of the Peace



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Peace within and throughout the provinces, districts and countries of Bengal, Behar and Orissa; and since that statute, under commissions authorized by warrant of the Governor-General, but issued by the Supreme Court, and sealed with the seal thereof, there having been Justices of the Peace resident in all parts of the provinces, who are acknowledged to be, in that capacity, subject to the control of the Supreme Court, and whose proceedings may be removed into that Court by writ of *certiorari*. Supposing it then to be beyond dispute that the powers given to the Court in 1774 by the fourth clause of the Charter, were not limited to the settlement at Fort William and the subordinate factories, but extended throughout the provinces, the reasons for thinking that the native inhabitants were not exempted from them, are, first, that in that passage of the Charter no such exemption is made; secondly, that the nature of the power, and the objects of it, are absolutely incompatible with any exemption of particular classes of persons. No Conservator of the Peace at any time or place, no Justice of the Peace at present in the provinces, could make any distinction of persons in the discharge of his peculiar duties. If an affray or riot takes place, especially in the night time, it is impossible that there can be any selection of the rioters. If one of the Council or a Judge of the Court in 1775, or at any time previous to 1793, when they were the only Justices of the Peace, should have been resisted, and himself or his assistants imprisoned or maltreated by natives when he was discharging his duty as a Justice of the Peace in the provinces, even though the primary cause of his being called upon to act might have been a breach of the peace by a British person, it could not have been maintained that the Court had no power to protect him, or release him from imprisonment; and there seems to be equal reason in law, that the same power should have continued to subsist for the support and protection of those who act under the Commission of the Peace, which is issued by the Court, and whose proceedings under that commission are expressly subjected to the control of the Court. If a criminal in the provinces, amenable to the British law and to the Supreme Court, and to no other tribunal, be harboured and abetted by natives, surely they are not to set at defiance the Justice of the Peace who is to apprehend him, and the Supreme Court to whom the Justice is answerable. We are aware of its having been said, that the Charter exceeded in some particulars, and went beyond the words of the statute. We do not admit this to have been the case; but consider, on the contrary, that the directions of the statute, that the Court should exercise all criminal jurisdiction, and that the jurisdiction should extend to all the King's subjects who should reside in the provinces, implied and made it absolutely necessary that there should be a power similar to that of the Justices of the King's Bench, extending throughout the provinces; but even if this necessity had not been created by the statute, the Charter, for every purpose that was within the King's prerogative, and which was not prohibited in express terms by the statute, would not have been the less valid and effectual. Supposing the provinces to have become British dominions, then whether the statute sufficiently declared that the Judges of the Supreme Court were to be Conservators of the Peace throughout the provinces or not, it is certain that it did not constitute any other persons, so as to preclude the Crown from exercising its prerogative of entrusting that duty to the Judges. The will and intention of the Crown upon this point, was declared in very plain words in the fourth clause of the Charter, and the power there given (whether

ther-it was or was not meant that there was to be any concurrent power, surviving out of the former Mahomedan government), was indicated both by the words and the nature and objects of the power, to be one which was to operate upon all within the sphere of its action, without distinction of persons.

20. A second branch of authority and jurisdiction given by Charter was that of hearing and determining all pleas, real, personal or mixed, respecting things real or personal in Bengal, Behar or Orissa, and all pleas of which the cause should accrue against the East-India Company, or any of the King's subjects who should be resident within Bengal, Behar or Orissa, and against any other person who at the time of action brought, or cause of action accruing, should be directly or indirectly employed by or in the service of the Company, or any other subject of the King; and in cases in which the cause of action should exceed 500 rupees, against every other person whatsoever inhabitant of India, and residing in Bengal, Behar or Orissa, who should agree in writing, that in case of dispute the matter should be determined in the Supreme Court; and in such cases it was provided that if the suit should be brought in any of the Courts of Justice already established in the provinces, either party might appeal to the Supreme Court, which might by writ command the parties to surcease proceedings in the Provincial Court, and take upon itself the determination of the suit.

21. A third branch of jurisdiction was that of a Court of Oyer and Terminer for the town of Calcutta and factory of Fort William, and the factories subordinate thereto; and the Charter empowered the Court to try all crimes and misdemeanors committed within the town or factory, and the other factories, and to inquire, hear and determine, and award judgment and execution of, upon and against all treasons, murders, crimes, misdemeanors and oppressions committed in the provinces or countries called Bengal, Behar and Orissa, by any of the subjects of his Majesty, or any person employed by or in the service of the Company, or of any subject of his Majesty, and for this purpose to award and issue writs to the Sheriff to arrest and seize the bodies of such offenders, and to do all other necessary acts.

22. If these parts of the Charter, without a reference to those treaties, agreements and circumstances which we have before noticed, had been strictly insisted upon and rigidly enforced, it seems to us that it might have been very difficult to maintain in law, that subsequently to the 13 Geo. III. c. 63, and supposing the provinces to have become in any manner dominions of the King, there could be any person domiciled within them, unless it might be the inhabitants of the European factories, who were not to be considered for the time at least subjects of his Majesty, and consequently, according to the words of the Charter, amenable to the Supreme Court, both in civil and criminal suits; but by an indulgent construction of the Act and Charter, in conjunction with the agreements which had been made by the Company with the Native Princes, and by supposing that such parts and powers of the old governments still subsisted as were not expressly superseded by the statute or Charter, those who could be considered as living under the protection of the Nizamut or Mahomedan system of law and government over which the Naib Subah had recently been placed, seem, from the first, to have been held upon the grounds which have been already stated, to be exempted from the jurisdiction of the Supreme Court as a Court of Pleas and Court of Oyer and Terminer; but even these

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were held liable to be summoned and compelled to attend the Court as witnesses, and without such a liability the Court would have been unable to perform many of the important functions expressly and unambiguously assigned to it by the Crown and the Legislature.

23. These complicated circumstances, of which we have endeavoured to present an accurate statement, could not subsist for any length of time in the indistinct form in which they were left without disturbance. Those disputes and disgraceful contests between the Governor and Council on the one side, and the Judges on the other, ensued, on which we wish to make only one observation, namely, that an impression has been created that the Judges greatly exceeded their authority as defined in the Act and Charter, but that we believe it will be found on examination that this was not the case, nor considered by the Parliament to be so; and the Act of the 21 Geo. III. c. 70, in which it was found necessary to provide an indemnity for the unlawful resistance of the Court by the Governor and Council and the Advocate-General, made no similar provision for the Judges. The misfortune appears to have been, that the Legislature had passed the Act of the 13 Geo. III. c. 63, without fully investigating what it was that they were legislating about, and if the Act did not say more than was meant, it seems at least to have said more than was well understood.

24. Some important enactments were accordingly made by the statute of the 21 Geo. III. c. 70, as to the powers and jurisdiction to be exercised by the Court in future: First, that the Court should not have any jurisdiction in any matter concerning the revenue, or acts done in the collection thereof according to the usage of the country, or the regulations of the Governor-General and Council; and it was expressly declared to be expedient that the inhabitants of the provinces should be maintained and protected in the enjoyment of all their ancient laws, usages, rights and privileges; the Governor-General and Council were declared to be a Court of Record, which might lawfully hold all appeals from the Country or Provincial Courts in civil causes, with a further appeal to his Majesty in Council in suits, of which the value should be £5,000 and upwards; that the same Court of the Governor-General and Council should hear and determine all offences, abuses and extortions in the collection of the revenue, and punish the same at discretion, provided that the punishment did not extend to death, maiming or perpetual imprisonment; and that the Governor-General and Council should have power to frame regulations for the Provincial Courts, which his Majesty in Council might disallow or amend; that no person shall be subject to the jurisdiction of the Supreme Court by reason merely of his holding land, or collecting the revenue from lands held by him, or under him; nor in any matter of inheritance or succession to land or goods, or ordinary matter of dealing or contract, by reason of his being in the service of the Company, or the Government, or of any native or descendant of a native of Great Britain, but only in actions for wrongs, or upon special agreement in writing, to submit to the decision of the Supreme Court. The Governor-General and Council were exempted from the jurisdiction of the Court for any act or order done or made by them in their public capacity; and a similar immunity was extended to those acting under such order, unless it shall extend to any British subject, in which case the jurisdiction of the Court was retained. The Governor and Council in other cases continue to be responsible to Courts  
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in England ; and provisions were made for the parties obtaining through the Supreme Court copies of any orders complained of, and also having the evidence in India taken by the Supreme Court. Provincial Magistrates, as well natives as British subjects, exercising judicial offices in the country Courts, were exempted from actions in the Supreme Court for wrong or injury for any judgment, decree or order of their Courts ; and the like exemption was extended to all persons acting under such orders ; and in case of an intention to bring any information in the Supreme Court against any such Officer or Magistrate for any corrupt act, a certain notice was directed to be given before the party could be arrested, or other proceedings could be taken against him. There was a proviso in the Act, that the Supreme Court should have full power and authority to hear and determine all and all manner of actions and suits against all the inhabitants of Calcutta ; but that the inheritance and succession to lands and goods, and all contracts, should be determined by Mahomedan or Hindu law respectively, where the defendant was a Mahomedan or Hindu ; that the rights of fathers and masters of families should be preserved ; that nothing done according to the law of caste within the family should be deemed a crime ; and that the process of the Court should be accommodated to the religion and manners of the natives.

25. It is deserving of remark, that in the statute, although the existence of the Provincial Courts for the determination of civil causes is noticed, and the Governor-General and Council are empowered to correct abuses in the collection of the revenue by any punishment short of death, maiming or perpetual imprisonment, there is no Provincial or Country Court of Criminal Justice mentioned ; and up to the time at least of that statute, the Supreme Court as a Court of Oyer and Terminer, and the Court of Quarter-Sessions, are the only ones recognized by statute as capable, in the Presidency of Fort William, of hearing and determining charges of crimes and misdemeanors against the law, other than abuses in the collection of the revenue. In fact, the present Nizamut Adawlut, and the whole system of Criminal Courts subordinate to it, have not been founded by a power created by the Crown or Parliament ; they were referred to in the last statute by which the Government of India was renewed, namely, the 53 Geo. III. c. 155 ; but they were formed as British Courts by regulations of the Governor-General in Council, upon and out of the still subsisting Mahomedan Criminal Courts over which the Naib Subah had presided, and they are a continuance of those Courts in a regulated form, not a new creation. In 1773 there had not been any power created by the Crown or Parliament under which, except for revenue offences, the Indian Governments could establish Criminal Courts subsequent to the Charter of the 10 Will. III., and the powers of establishing Courts given in that Charter seem to have been entirely superseded by the Charters of 1726 and 1753.

26. Since the Act of the 21 Geo. III. c. 70, the jurisdiction which the Supreme Court possessed in Bengal, Behar and Orissa has been extended over all the vast territories which are now under the Presidency of Fort William, and there have been several enactments affecting the Court in various ways ; but it is not necessary to state them seriatim. The foundations of its jurisdiction have been shown, and it appears to us : first, the Court has now by law the superintendence and control of the Commission of the Peace through-

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out every part of the provinces of the Presidency of Fort William, in the same way as the Court of King's Bench has it in England; that the power of Justices of the Peace is one which, for the most part, must of necessity be exercised without discrimination of persons, and that the superintending power of the Court is of a corresponding character; that as a branch of the power given to it by the fourth clause of the Charter for the conservation of the peace, and for the kindred object of relief against oppressions, which are immediately consequent upon breaches of the peace, the Court possesses and exercises the power of issuing writs of *habeas corpus* to relieve from false imprisonment; that this power is not locally limited to the town of Calcutta, but is co-extensive with the superintending powers of the Judges, as supreme conservators of the peace; and that inasmuch as British persons at least and natives employed by the Company or the Government, or any other British persons, are liable to be sued in the Supreme Court for trespasses, or indicted for offences committed in the provinces; and that for any corrupt act an information will lie against a judicial officer, whether native or European. It would be incongruous if a writ of *habeas corpus* might not be directed to any of these, if the act complained of should include a continuing and subsisting false imprisonment. With respect also to the natives generally who reside in the provinces under the Mahomedan law and the regulations of Government, it would be uncandid if we were not to admit, that before we saw the decision of the Privy Council upon the petition of Sir John Grant we should have said, upon a mere question of legal construction, that the Court had a right to direct a writ of *habeas corpus ad subjiciendum* to a native, for the purpose of relieving another native from false imprisonment, because we look upon this writ as a branch of the powers given by the fourth clause of the Charter, principally and especially for the conservation of the peace and other objects closely connected with it; and conceiving that those powers must generally extend in law to all classes of persons where they operate at all, we should have been at a loss to find any legal ground for restricting the use of that particular writ in a different way from the exercise of the other powers derived from the same clauses and sentence of the Charter. At the same time we would wish it to be understood, that we have never considered that in such a case the statute of Charles II. would be compulsory upon us, but that the application must be made under the fourth clause of the Charter, and upon the ground of our having a similar power to that which the Justices of the King's Bench have at common law; and as we should always have thought, that in those circumstances we should have had to exercise some discretion, we do not conceive that we should have issued the writ upon the complaint of a native against a native resident in the provinces, where there was any other lawful power competent and willing to afford more convenient relief. The decision of the Privy Council we receive with the utmost deference, and we are bound by law, and feel every inclination to regulate our proceedings by it; but it is only the more necessary for us, on this account, at a time when we are informed that an act is about to pass declaratory of the jurisdiction of the Court, to point out that questions of difficulty may arise upon that decision. If a British person, especially a Justice of the Peace, or his assistants, should be opposed, and any of them should suffer false imprisonment from a native in the provinces, is the Court without power to relieve them, when, if the party, being a British subject, should apply to the Government, and the Governor-General in Council should make

make any order in support of the native complained of, those at least who should act under the order would be liable, as persons employed by British subjects, to the jurisdiction of the Supreme Court, by the express reservation in the 21 Geo. III. c. 70, s. 3. The jurisdiction of the Court, as a Court of Civil Pleas, since the statute of the 21 Geo. III. c. 70, extends first to the hearing and determining of all manner of actions against the inhabitants of Calcutta, and on account chiefly of the innumerable difficulties which British persons would have to encounter in pursuing their claims in the Country Courts. This term "inhabitants" has always been understood to have been intended by Parliament to comprise all who have dwelling-houses, and carry on trade in Calcutta. Secondly, the Court has jurisdiction over all actions of a transitory nature, and all of a local nature, of which the cause arises in any of the provinces of this Presidency, against any subject of the King residing in these provinces at the time of the cause of action accruing or action brought, or any person residing there, who shall have agreed in writing to submit the matter, in case of dispute, to the Supreme Court, and without any agreement against any person in the service of the Company, or of a British subject, for any wrong or injury; but the whole of this jurisdiction is subjected to exception, that the Court is not to interfere in any matter arising out of the collection of the revenue; and the terms "subjects of the King" is certainly now to be construed with a reference to the considerations before mentioned, and to the provisions in the statute of 21 Geo. III. c. 70, by which it was declared that the Mahomedans and Hindus were to have their own laws, and that there were courts in the provinces for the administration of them in civil cases, from which the appeal lay to the Governor-General in Council. The jurisdiction of the Supreme Court, as a Court of Oyer and Terminer, is established first throughout certain places within which it operates, without any distinction of persons. In practice, these have for many years been considered to be contracted to the limits merely of the town of Calcutta, and any factories which may at any time be subordinate to it, and there is a provision by statute, under which the limits of the town of Calcutta have been settled by the Governor-General in Council; but originally the local jurisdiction of the Court of Oyer and Terminer, according to the words of the statutes and charters, included at least a surrounding district, as well as all the outlying factories, and as a legal question, it is not free from uncertainty what the limits are now. Chinsurah in Bengal, and Penang, Singapore and Malacca, stand in this respect in a very singular predicament at present, which will be easily understood by a reference to the statutes which provided for the Dutch possessions that were ceded in 1824 being transferred to the Company, and when in relation to the three last-mentioned places, the fact is adverted to, that the Presidency of Prince of Wales' Island has been recently abolished by the Directors, and that the places of which it consisted have been made dependencies of Bengal, but that there is still a Charter of Justice for the Presidency uncanceled, but under which there is no body in India now who is authorized to act. Secondly, the Court of Oyer and Terminer has a power of trying all offences committed by his Majesty's subjects, or any person employed by them within the Presidency, or by any of his Majesty's subjects anywhere between the Cape of Good Hope and Straits of Magellan, but in this instance also, the term "subjects," it seems, is to be construed with nearly the same restrictions that have been noticed in speaking of the jurisdiction as a Court of Civil Pleas, although, as it has already been

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observed, the Criminal Courts in the provinces do not date their origin from any Parliamentary enactments. By the recent statute of 9 Geo. IV. c. 74, ss. 7, 8, 56, 70, provisions are made, without any distinction between native and British persons, for the trial by the Supreme Courts of particular offences, whenever the offender is apprehended or found within the jurisdiction of the Court, although the offence may have been committed elsewhere. In cases of Hindus, however, the Court is forbidden by the 21 Geo. III. c. 70, s. 18, to treat as a crime anything which is done within the family of the party according to the law of caste, and the same statute, by the 8th section, seems to prohibit the Court in its capacity of a Court of Criminal Justice, no less than as a Court of Civil Pleas, from having any jurisdiction, as to anything done in the collection of the revenue, according to the usage or to the regulation of the Governor-General in Council. It is not necessary to state over again the powers which are to be exercised by the Court in assistance of the Superior Courts in England, or of proceedings in Parliament; but we wish them to be borne in mind, more especially for the purpose of showing the necessity which there is, if these duties are to be required from the Court, that its process for the procuring of witnesses and other purposes should be effectual in all parts of the provinces. This necessity, indeed, is found equally in the exercise of its jurisdiction as a Court of Civil Pleas and a Court of Oyer and Terminer; and without a power to take the lands as well as the persons and goods of those who are liable to be sued in the Court, its judgments, in many cases, would require to be aided by the Government, or the Courts established in the provinces; and to make that aid effectual, it ought not to be precarious, but a matter of right. These observations, however, are applicable to the supposition of the Court continuing for the most part as at present constituted; if the alterations recommended in the latter part of this letter should be thought deserving of attention, there would be an opportunity, by means of a Legislative Council, of providing, with the sanction of the Governor-General in Council, for the execution of the process of the Court, notwithstanding any contraction of its sphere of jurisdiction. At present there are statutes of later dates than these already mentioned, which have created additional occasions for the exercise of the powers of the Court in the provinces, as for instance, in taking evidence upon Divorce Bills in the House of Lords; and the 26 Geo. III. c. 57, presents cases in which the Court would have to enforce in any part of the Presidency, by Exchequer process, the execution of judgments obtained in England. In addition also to these branches of jurisdiction, though it is necessary to abstain from stating them at length, it must not be forgotten that the Court has extensive powers, which must be exercised in the provinces, as incident to its other jurisdictions, especially that of a Court of Equity, and that of a Court for the relief of insolvent debtors.

27. Such, as far as we can conveniently state it in this letter, we conceive to be at present the power and jurisdiction of the Court according to law; and if it should be thought right, either by a declaratory statute or by new enactments, to take away any part of it, or to correct the mistaken supposition of its existence, we hope it will not be forgotten that distinct provisions ought to be made by which it may appear how the same objects are to be accomplished, and the same occasions are to be answered by some other tribunal or power. We have next to advert to various circumstances which, in some respects, have thrown doubt and obscurity upon the jurisdiction of the Supreme Court, which

which in others impede its powers, and in many make it doubtful whether the exercise of them be productive of good or evil.

28. The Court was founded with views which have never been accomplished, and many of the original provisions are necessarily ill suited to the state of things which has ensued, so different from that for which they were intended. It appears to have been thought by those who framed the statute of 13 Geo. III. c. 63, that by opening a Court of British law, and by giving to Government and the Court together a power of making regulations, all the British possessions and system of Government, and the whole people, might have been gradually brought to range themselves in subordination to that Court and Government, in a state of union; but from a train of circumstances, which need not be discussed here, the Court and Government were very soon placed in a state of opposition, and the inhabitants were studiously divided. The jurisdiction which the Court had subsequently exercised has always been essentially of a very peculiar character, and has had many difficulties inseparably connected with it. It is an exclusive personal jurisdiction as to a particular class, thinly scattered over a wide extent of country, amongst a dense population, who are considered to be themselves, for the most part, exempt from the jurisdiction, and to live under a very different system of law. In every part of these territories, nevertheless, the process of the Court must be enforced, and even lands must occasionally be seized and divided or sold, although there is an absolute prohibition against the jurisdiction being exercised in any matter of revenue, which revenue is, in fact, a share, and a very large one, in every parcel of land throughout the Presidency.

29. These difficulties are aggravated by an obscurity which has been permitted to hang about the relations in which the Indian territories and the Company stand to the Crown and Parliament. Our own view is plainly and simply that the bulk of the Indian territories must be considered as having been annexed by conquest and cession to the Crown of the United Kingdom, but subject, of course to the observance, of all treaties, capitulations and agreements, according to the real intent and meaning of them, which have attended any cession, and which still continue in force; that to a certain extent British law has been introduced, but that, on the other hand, a very large portion of the old laws of the country had been left standing, though under the administration of British persons, the leading distinction being that British law and British Courts have been introduced for British persons, and Mahomedan Courts and laws permitted to remain for Mahomedan and Hindu persons; and these Mahomedan laws and Courts have been subsequently modified by a certain legislative or regulating power, which itself also has been a continuation of the old legislative powers of the Native Government, permitted, and in some instances recognized, by Parliament. The sovereignty of the Crown of the United Kingdom we hold to be established throughout all the provinces which have been formally annexed to the Presidencies, and as an incident of the sovereignty, that the King in Council has in some cases the actual exercise, and in all the right, whenever the Crown may see fit to exercise it, of deciding upon appeals in the last resort, and superintending the administration of justice; that the Imperial Parliament has as absolute a right of legislating for all purposes as in the United Kingdom itself; but that the East-India Company, in consequence of a long chain of events, being the most convenient depository and organ of the powers which it is necessary should be in action upon the spot,

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spot, have had the Government principally entrusted to them; and being thus put in the place of those parts of the old governments, by which the ancient and still subsisting laws and legislation of the country were wont formerly to be carried on, they exercise, through the Governors in Council and their officers, not only the functions specifically assigned to them by the Crown and Parliament, but some powers also in the administration of justice and in legislation, which, as we have already explained, are not, strictly speaking, derived from the Crown or Parliament as their origin, but are portions of the old institutions, which have been permitted by the Crown and Parliament to continue, and have been by Parliament entrusted for limited periods to the management of the Company, and recognized as subsisting in their hands. Excepting any formal questions which may arise out of the titular honours and nominal authority enjoyed by any Native Princes within the Presidencies, there are only two points on which, as far as we are aware, any positively different opinion exists. It seems to have been thought by some that the Company's powers of political government rest at present, not only upon the statutes by which they have latterly been entrusted or continued to them for limited periods, but also on those parts of the Charters of 1698 and 1726, by which they were authorized to coin money and maintain troops, and do other acts which belong purely to political government; whereas we should be of opinion that such powers of political government as were given by the Charter for the maintenance and protection of the exclusive trade, have been merged and extinguished in the larger powers which have been given by statute for the purposes of dominion, and that there cannot now be any occasion upon which those minor powers would revive, although the Charters are not on that account the less valid and effectual to secure to the Company, at all events, their corporate capacity, their property of every sort, and their right to trade in common with other British subjects. Secondly, there is a notion which, we are inclined to think, has arisen merely from the indistinct use of a particular term; and in adverting to it, we are anxious to guard against the supposition of our having experienced any difficulty from any expression of it by those with whom our duties have brought us into intercourse. But amongst those who have treated of the subject, some certainly speak of the Company as having "*succeeded*" to the powers of the old Native Governments, and seem to found a certain claim of right upon this notion of succession; whereas we apprehend that, although to a certain extent the Company does hold the place of the old governments, it is not by any succession, as distinguished from acquisition, but that, having been the instrument and agents of conquests, or the means through which cessions have been obtained, and having come into possession in that way, they have been permitted to retain it for a certain term, by the enactments of Parliament. We may, perhaps, be in error in supposing that any consequence is attached to this distinction; the subject, however, has been so little brought forward, that the circumstance of the Crown and Parliament having exercised little or no control over some parts of these judicial and legislative powers, which have survived the old government, has been followed by an indistinctness of apprehension as to the real nature of them. The President and Board will remember, that it has heretofore been made a question, whether the Company had not, what has been called, in terms not very easy to be understood, a delegated sovereignty: at other times it has been alleged that the Mogul Emperor still retained

retained a nominal and formal sovereignty. Some have suggested doubts whether the continuing possession of the Company, notwithstanding its being a creation of the British Crown and Parliament, is not a mark that the Indian territories have never yet been reduced into possession by the British Crown. It cannot be necessary to show, in detail, that any doubts upon points, such as these, wherever they may exist, or upon whatever occasions they may be stated, must be a source of embarrassment to Judges who have to issue process and execute judgment in the King's name, in all parts of the provinces, who may at any time be called upon to ascertain the rights in India, not only of British persons, but of the subjects of the Christian powers in amity with the British Crown, and who, in law, are supposed to have the control throughout all parts of the Presidency of the commission of the peace. Questions arising out of the most important statutes, such as the Navigation and Registry Acts, the Mutiny Acts and others, exist in an undecided state, and are scarcely prevented, but by management, from being brought forward for decision, which, whenever it is called for, must turn mainly upon the species of relation in which the Indian territories and the Company stand to the United Kingdom. Some of the most important regulations of the Indian Government have been made without the direct or express authority of Parliament, and are most easily justified, as being the exercise of the old legislative powers of the former governments not superseded, and therefore continuing to subsist. Some of the regulations, about 1793, were of this description. The imposition of taxes in the provinces is perhaps an instance, and it is a power which might come to be a subject of serious discussion, and, if British persons are to be admitted to hold lands throughout India, of vital importance.

30. An offspring of the uncertainty alluded to in the last section is the peculiar use which has been affixed to the terms "British subjects" in the Statutes and Charters relating to India, a source of difficulties to the Court which does and will increase. The corruption of the legal signification of these important terms, seems to have originated in the difficulty which was felt in getting over the provisions of 13 Geo. III. c. 63, and of the Charter of Justice, by which the English laws were, in words, extended in these provinces to all his Majesty's subjects. The Directors, in their letter of the 19th of November 1777, to Lord Weymouth, asserted that the natives were not British subjects; but, notwithstanding all the difficulties of the times, and that the Ministers were pressed by the calamities of the American war, this point was not acknowledged even in the statute of 21 Geo. III. c. 70, though expressions and clauses were allowed to be introduced in the statute, from which the result has been that it is impossible to say who were and who were not meant to be designated by those terms. Subsequently, as the British Governments in India proceeded in organizing the judicial system for the provinces, including Criminal Courts, it became necessary that they should describe the natives as subjects at least of the British Government, and as owing allegiance to it. Under all these circumstances, if the question had been raised in any English Court of law, there would have been some difficulty in maintaining that the natives did not at any rate fall under the terms "subjects of his Majesty," wherever those words occurred in statutes relating to India. A direct decision, upon that question, however, has been avoided; and to meet the difficulty, and with a view, perhaps, to other consequences, a distinction has been set up between "British subjects," and "subjects of the

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the British Government ;" and it is maintained that generally where the term " subjects" occurs in the Indian statutes, it means " British subjects," and does not include those who are only subjects of the British Government. There is no stable nor sufficient foundation provided for this construction at present ; for whatever restrictions the Parliament may think it right at any time to put upon their rights as subjects, it is certain that if the case of the *post nati* of Scotland, and that of *Campbell v. Hall*, are of any authority, and if any of the Indian provinces have become British dominions, all who are born within them are British subjects according to English common law, even though the Indian territories should be so far a distinct realm as to have a separate but subordinate right of legislation, and of holding Courts for the administration of justice. The distinction between British subjects and subjects of the British Governments in India, has never, we believe, been formally declared in any Act of Parliament, but depends upon an ill-defined supposition of the continuance of the Mahomedan laws, and upon inferences to be drawn from the use of the term " British subjects," in several Statutes and Charters relating to India, especially the 21 Geo. III. c. 70, and the Charters of the Madras and Bombay Courts, and upon a fluctuating usage, so that it is quite impossible to say with any just confidence who they are who belong to the one class and who to the other. It seems to be agreed, indeed, that the terms " British subjects," as they must necessarily include all persons born in Great Britain, or whose fathers or paternal grandfathers have been born there, so they do not include any Mahomedan or Hindu natives of the Indian provinces who are not inhabitants or natives of Calcutta, Madras or Bombay, or any other place distinctly recognized as a British settlement or factory ; but between these two extremes there are many doubtful classes. Even the natives of Ireland would not necessarily fall under the terms " British subjects," as used in 21 Geo. III. c. 70, s. 10. It is understood that the lawyers of the East-India Company have been of opinion that persons born in the British colonies are not, according to the use of the term in the Indian statutes, " British subjects" by reason of their birth-place, nor unless they are descended from a British-born father or paternal grandfather. The natives of Jersey and Guernsey have not so strong a claim as those Christian persons born in Calcutta, Madras and Bombay, but not resident there ; and Hindus and Mahomedans, under similar circumstances, are liable to still more cogent doubts. Do either Hindus and Mahomedans, or Indian Christians born in the provinces, or Christian foreigners, because temporarily British subjects while domiciled in Calcutta, Madras or Bombay, so that for offences committed beyond the boundaries they would still be amenable only to the Supreme Court ? Are the native Christians or the subjects of Christian princes in amity with the Crown, who may reside in the provinces, to be classed with Mahomedans and Hindus, or with British subjects ? What is the effect of the subsisting treaties with France and other Christian States in this respect ? These and many similar questions do every now and then arise, and it is only by perpetual contrivance that they are prevented from becoming more troublesome. The statutes and Charters relating to India present various applications of the terms in question, and in several important instances the terms " subjects" is used by itself, and it is mere speculation and controversy whether the adjunct " British" is to be understood or not. These distinctions are the more embarrassing, because the continuance of the Nizamut, which afforded some sort of explanation of them in Bengal, Behar

Behar and Orissa, cannot be alleged in respect of other parts of India, many of which have come under the sovereignty of the British Crown by a course of circumstances which have left no shadow of any former sovereignty lingering behind, and which present no alternative, but that persons born there must be subjects of his Majesty in right of the British Crown, or subjects of nobody at all.

31. The circumstance which perhaps more than any other has contributed to make the jurisdiction of the Supreme Court inconvenient, and which is perpetually brought forward as making its unsuitness for the duties assigned to it, is not a vice of its original constitution, but the extension of its legal authority over the immense territories, which have been subsequently added to the Presidency of Fort William. It was not, perhaps, impossible that the Court might have been made competent to exercise an effectual and salutary jurisdiction throughout all Bengal, Behar and Orissa, which comprise the whole space to which its powers at first extended, but it never could have been made convenient by any ingenuity of legislation, that its powers of original jurisdiction should be exercised even as to British persons throughout the present Presidency of Bengal, of which some parts are nearly a thousand miles distant from it, and where the means of communication are not so easy as in England; and as there has been an inclination rather to clog the powers of the Court than to invigorate them, it may easily be conceived that when called into exercise in a weak and shackled state upon so vast an area, they are at once ridiculously important, and yet very weak in the way.

32. It appears to us to be matter for regret that there has never been any plan avowed and distinctly laid down for the gradual assimilation and union of the two systems which it has been thought necessary, and which to a great extent it seems to be still necessary to maintain, for the British and the natives respectively. In 1773 there seems to have been at most only a temporary obligation to preserve any of the Mahommedan forms of Government, and they have by degrees been almost obliterated, but what has come in place of them rests partly on the old basis, and there are still two systems scarcely less averse in principle than at first, working with discordant action, and within the same space. Nothing would be more unreasonable than to attempt to impose upon India generally the British laws as they exist in the United Kingdom, or even in Calcutta; but we are confident that before this time, if there had been a hearty co-operation of all parts of the Indian Governments, one uniform system, not English yet not adverse to the constitution of the United Kingdom, might have been established in some provinces, to which both British persons and natives might have accommodated themselves, and which would have been fitted at future opportunities to be extended to other districts. This would have been done, if the whole legislative and judicial powers of Government had been under one control. But this has never been the case. The regulations of the Government for the provinces, and civil causes tried in the Provincial Courts, where the matter in dispute is of a certain value, are nominally subjected to the control of the King in Council as much as regulations which are registered in the Supreme Court, or causes heard there; but it is scarcely more than in name that this exists, and with the exception of a few appeals in civil cases, it may be said that the legislative and judicial functions of the Indian Government in the provinces, extensive and active as they are, and including the whole process of criminal law, are exercised under no other control

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than that of the Directors and the Commissioners for the affairs of India, whilst the administration of law for British persons in India is in theory independent both of the Indian Governments, the Directors and the Board, and British subjects who choose to abide at the seats of Government cannot be directly subjected to any legislation but that of Parliament, or regulations registered in the Supreme Courts. In these circumstances, it has naturally been the inclination of those who have had the principal influence in Indian affairs, to build separately upon the foundations of that system which is the most subjected to themselves, and as it were belongs to them, rather than to bring the remains of the old institutions of the country into any subordination to Courts established upon the basis of Parliamentary enactment, and in many respects certainly ill adapted to the circumstances of the country. Thus two principles of Government have been maintained in a sort of antagonism, which thwarts and weakens each, and is not in any way advantageous to either. If the one was to prevail even to the exclusion of the other, the result must be an interference of the Imperial Legislature to reduce the Indian territories to their true relation with the United Kingdom, that of distinct, but entirely dependent dominions, with peculiar though not adverse laws, separate but entirely subordinate powers of internal legislation, and an administration of justice always liable in all its branches if not actually subject to the superintendence and control of the King in Council, or some other Court of the United Kingdom, or at least of some Court constituted by the Crown. Why should not the most convenient district that can be named in these vast territories be set apart for the purpose of forming upon this basis one harmonious system, suited to all classes of persons, and compounded of the two jarring ones which at present divide the people, debilitate the administration of justice, and harass the Government? It has been said that this would be like breaking off a part of the mass for the purpose of making experiments upon it; but every body seems to be agreed that something must be done. We disclaim all thought of proceeding otherwise than with the utmost caution, and we seem to differ from those who are adverse to the selection of one province principally in this respect, that we think it wiser to attempt the introduction of a better system upon a small scale at first, and in that place only where all the force of Government may be most readily applied in its support, and where its progress would be most immediately subjected to the presence and inspection of those who must direct it.

33. The next head of difficulties is one of which we feel considerable difficulty in speaking. But our motives, and the necessity of exhibiting the whole of the case, must be our apology for saying, that some of the inconvenience to which the Court is subjected, and some of which it is the apparent cause, are attributable to the imperfections of the Acts of Parliament and Letters Patent under which it has to act, or by which it is affected. It would seem as if, either from the intricacy of the subject, or an apprehension that difficulties would be encountered in Parliament when modifications of the powers of the Supreme Court have been desired, they have been sought not by positive and plain enactment, but by the introduction of something in an Act or Charter which, without being likely to excite too much discussion at the time, might be available afterwards as showing an intention on the part of the legislating power to make the required provision. Nothing can be more vague in most respects than the important  
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statute of 21 Geo. III. c. 70 ; it provided that persons should not be subject to the jurisdiction of the Court for this or for that reason, but left it nearly as open to argument as it was before, whether all those must not be held liable who could be shown to be subjects of his Majesty ; it left in the hands of the Government powers of general legislation, and of life and death, which it did not notice, while it specifically imparted to them limited powers of making regulations, and inflicting in certain cases punishment short of death. It employed the terms " British subjects " and " European British subjects " in such a manner, that it is impossible to say what was really meant by them ; it impressly left to the Supreme Court the determination of all suits respecting the lands of certain classes of the natives, yet forbade it to exercise jurisdiction in any matters connected with the revenue, which is a part of all land throughout all India ; and, finally, it made certain provisions for registration, which were palpably impracticable from the first, and were scarcely attempted to be carried into execution. We would rather not go through the invidious task of pointing out the indirect and inconclusive, but not therefore ineffectual provisions of later statutes ; but we can scarcely avoid to notice some of the variations which have been introduced in the Charters of the Supreme Courts at Madras and Bombay, and the doubts and difficulty which arise out of them. The Acts of Parliament which directed the issuing of these Letters Patent provided, that they should confer the same powers on the new Courts as those which were possessed by the Court at Fort William ; but notwithstanding this, the powers granted are materially different. To pass over the differences as to the appointment of Sheriffs, and the admission of barristers and attornies, it will be found that in the definition of the jurisdiction of the more recent Courts, there are words which purport to restrict their powers generally to such persons as have heretofore been described and distinguished by the appellation of " British subjects ; " whereas, as it would have seemed to us, the powers which the Justices of Peace and the Courts were to possess in the provinces as Conservators of the Peace, and as presiding over the Commission of the Peace, whether the criterion of their extent was to be the extent of those granted to the Court at Fort William, or the possibility of their being used to any good purpose, must be exercised, if exercised at all, without distinction of persons. Again, the Bombay Court is prohibited from interfering in any matter concerning the revenue even within the town of Bombay, which is directly opposed to the 53 Geo. III. c. 155, ss. 99, 100. Then all natives are exempted from appearing in the Courts at Madras and Bombay, unless the circumstances be altogether such as that they might be compelled to appear in the same manner in what is called a Native Court. This would for many purposes place the Court entirely at the disposal of the Government, who regulate the usages of the Country Courts as they please, and whether any suit arising beyond the limits of the towns of Madras and Bombay should be determined at all, or whether any offence committed there should be punished by the Court, or whether it should be able to collect evidence in aid of any proceedings in England, would come to depend entirely upon the pleasure of the Government. Whether this would be right or not is not the question ; it is inconsistent with the duties assigned to the Courts by subsisting statutes. In the clause which purports to define the Admiralty jurisdiction of the Court at Bombay in criminal cases, its powers are restricted to such persons as would be amenable to it in its ordinary jurisdiction, which is again at variance with the

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53 Geo. III. c. 155, s. 110, if it is to be understood from this passage in the Charter, that the jurisdiction was meant to be limited to such persons as have been usually described as British subjects; but it is not very clear what is to be understood by ordinary, as opposed to any extraordinary jurisdiction of the Court, and this indeed is another species of the defects which we are noticing, namely, that limitations of the jurisdiction have been thus introduced by allusion rather than plain declaration. In one way or another, sometimes by the mention of some qualification of the powers of the Court occurring in an Act or Charter, which has been afterwards insisted upon as a recognition; sometimes by a vague recognition of counter institutions, which have been already set on foot without any express authority, and which afterwards, upon the strength of the recognition, are amplified and extended; sometimes by the jurisdiction of the Supreme Court being stated in such a way as to leave it to be inferred that the *expressio unius* is the *exclusio alterius*; sometimes by provisions, which to persons unacquainted with India may have appeared to be of little consequence, but which in reality involve a great deal; sometimes when Parliament has provided that new Courts should be established upon the same footing as the old one, by something finding its way into the constitution of the new Courts, which is essentially different from the old, and would be destructive of their efficiency. In some or all of these ways the Supreme Courts have come to stand at last, in circumstances in which it is a very hard matter to say what are their rights, their duties or their use.

31. Though we attribute the principal imperfections and inconvenience of the Supreme Court to the sources which we have described, we have already intimated that there were inherent and almost insuperable difficulties connected with its original constitution, and the circumstances with which it has always had to deal; and we by no means intend to assert, that there have never been any faults on the part of those by whom the duties of it have been conducted. The application of the forms of British law to the settlement of differences amongst the Hindus and Mahomedans, even of Calcutta, is full of difficulty; the Hindu laws especially are one of those ancient systems which have existed, in a certain stage of society, all over Asia, and a great part of Europe, and of which the main spring has been the influence of the priesthood. When this has been removed, and laws, which were calculated to be maintained by persuasion, by sacerdotal influence, or religious awe, have to be enforced by means of English Courts and lawyers and the legal process of writs of execution, it is scarcely possible that the machinery should work well. This remark is peculiarly applicable to the family quarrels of the Hindus; but the inconvenience, great as it is, seems to be necessarily connected, for a time, with the marvellous position in which England is placed in relation to India. The ordinary state of a Hindu family, in respect of property, is that of coparcenery between the males; but any one member has a right to claim a partition. Upon the death of a Mahomedan, his property, including land, is shared amongst his relations, according to peculiar rules, which make it necessary, for the purpose of calculation, to consider it as subdivided into very minute portions. The mode of settling all cases of this kind in the Supreme Court is by suits in equity; and it may easily be imagined, that trouble, expense and delay must attend such proceedings, in which innumerable papers and accounts of many years standing, in three or four languages, must be produced, translated, given in evidence, and investigated, and

and in which, after all the other difficulties have been overcome, the decrees of the Court, including partitions of interests in lands, and consequently, the inspection, admeasurement, valuation and allotment of the lands are to be carried into execution by the European officers of the Court in the provinces, where the uncertain interests of many parties, not included in the suit, are involved in the same parcels of land; where the Court is prohibited from interfering, in any way, with a revenue which is intimately and inextricably mixed up with every piece of land; and where the Court is also regarded somewhat in the light of an intruder, or, at least, a necessary evil, by the civil officers of the Government by whom the provinces are managed. Add to this, that when once dissension has arisen in a native family, nothing can exceed the perverseness with which their disputes are carried on. The object is no longer to obtain their rights, but to ruin each other. Sometimes they will make a truce for years, and then revive their contentions with fresh zeal. At all times they are represented to be difficult to deal with as clients, and, from understanding imperfectly the proceedings of an English Court, to be obstinate and suspicious. Besides, it cannot be expected that any class of the professional persons by whom the business of the Court is to be conducted, should in general be quite equal, in all desirable qualifications, to those who exercise corresponding functions at home. It will not be supposed that we mean to make any exception, in this remark, of the higher offices, which at present are held by ourselves; but we have in view principally the conduct and management of suits involving an intercourse with native clients under circumstances which are much more difficult, and much more opposed to an accurate and beneficial exercise of the legal profession than any that occur at home. In almost all suits for partition amongst native families, there is another difficulty, from the Court having to regulate the disposition of funds appropriated to the superstitious uses of their religions. Again, some of the longest, most intricate, and expensive suits in the Court, have been occasioned by the charitable or religious bequests of Christians of the various sects which exist in India. In these, some of the Supreme Courts have been called upon to apply money to the benefit of Roman Catholic establishments at Goa, in others to Greek or Armenian Churches on Mount Lebanon, and to settle disputes between rival establishments of Capuchin Friars. A commission has been prayed to inspect the records of the Vatican. One highly important case, which long has been, and still is, before this Court, and which there is little doubt will ultimately come before the King in Council, presents the following circumstances: A Frenchman by birth, not outwardly professing any religion in particular, and who had for some time resided, and at last died at a very advanced age in the territory of Oude, which is, according to treaty, the separate dominion of a Mahomedan King, leaves great wealth, a part of which is in land; part of which at the time of the death is in France, part within the kingdom of Oude, part in the provinces or Mofussil of the Presidency of Fort William, and part within the town of Calcutta; some of the personal property is vested in public securities of the British Government in India, and some in the English funds. By his will he bequeaths legacies and landed estates to relations in France, and gives pensions for life to a set of native concubines and servants in Oude, makes large charitable bequests to the city of Calcutta, and the city of Lyons in France, involving the establishment of public schools at both places, to be continued for ever; and directs also the establishment



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of what he calls a college, but which is to be connected with a sort of caravanserai, where his tomb is to be lighted and watched, in the foreign and Mahomedan capital of Lucknow; and after providing for all these, there is likely to be a very large residue, respecting which his directions are very inexplicit, and to which, when they can be found out, the next of kin of a man who had left France in a state of poverty sixty years before, and who had no kindred in India, have a dubious claim; and there is landed property in Calcutta, to which his heir-at-law, when discovered, may also make a claim; and this heir, according to the English law, is not one of the next of kin, who are only of the half-blood. The case is not brought into the Court until the assets have been many years in the hands of a mercantile firm, and are involved in a maze of accounts; once brought before it, however, the Court cannot decline to proceed, yet is only enabled to proceed in respect of the public charities at the instance of the Advocate-General of the Company, whose official relations are in some respects calculated to embarrass his proceedings. When such circumstances may occur, and when it is recollected that the Court has no less than seven jurisdictions combined, as a Court of King's Bench, a Court of Civil Pleas, a Court of Oyer and Terminer, a Court of Admiralty, a Court of Equity, an Ecclesiastical Court and a Court for the relief of Insolvent Debtors, it will not perhaps be thought surprising, if complaints against it should sometimes arise out of the disputes of the suitors; except, however in equity cases, there is no ground for any complaint of delay in the determination of suits; nor even in equity has the delay been at any time ascribable to the Judges. There are no arrears in any causes which are before them, and there scarcely ever have been any. The heaviness of the costs in some equity suits we have no doubt is an evil, though perhaps not greater than in England; and it will not be found to arise so much out of any particular fees, as from the misconduct or miscarriage of the equity suits, attributable, in a great degree, to the difficulties which we have noticed, but arising partly no doubt in some cases from the inattention or unskilfulness of professional men, and still more, perhaps, from the waywardness of the native clients. If we were called upon to devise a remedy for such evils upon the supposition of the continuance of the present constitution and jurisdiction of the Court, we do not know that we could suggest any other than a reform of the system of equity pleading and practice, a settlement of all bills of cost at stated periods of the year, by the Judges themselves, accompanied by a judicial examination into the conduct of each suit, a division of labour and allotment of business amongst the Judges, by which a more rigid discipline, if we may use the expression, in the conduct of the whole business of the Court might be enforced, and, perhaps the establishment of a practice, by which the Judges might endeavour to arbitrate between the native suitors before they were fully committed in a suit.

35. We have now, however, in pursuance of the wish expressed in your letter to submit to the consideration of the President and Board, a general view of such arrangements as, in our opinion, would put the administration of the law in India upon a better footing. If we bring forward considerations, which at first may appear to belong rather to policy than to law, we trust it will be perceived that this is rendered necessary by the unusual circumstances of the case; for nearly all the difficulties of it arise out of a peculiar policy, by which the laws in India have been made personal in their application, instead

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instead of being, as in most other parts of the world, local. This circumstance occasions unfortunately a certain difference of opinion, which will be noticed in a subsequent part of this letter, between the two who sign it. We are sensible also that by reason of political measures being thus necessarily involved in our recommendations, we run the risk of suggesting what may be at variance with views already formed, or with transcendent considerations of general policy, of which we have no information. This is a disadvantage for which we have no other help than to beg, that what we offer may be received as it is offered, in the light of very humble suggestions, tendered with much distrust of our own judgments, and with no other desire than to assist his Majesty's Ministers as far as we can in arriving at just conclusions of what is best to be done. Our observations are made upon the supposition, that India remains under the Government of the Company, subject to the control and regulation of the Crown and Parliament in all affairs of government, whether executive, judicial or legislative.

36. It appears to us to be desirable, that all the territories which are permanently annexed to any of the three Presidencies, and in which justice is administered and the revenue is collected and expended by officers of the British Government, should be declared, in the most unambiguous manner, to be dominions of the Crown of the United Kingdom, that all persons born within the same are subjects of that Crown, owe allegiance to it, and are entitled to protection from it; and that all persons residing there owe that temporary allegiance which would be due from them if resident in any other dominions of the Crown; and we have some confidence, that within the provinces which constitute the three Presidencies, there are no subsisting rights of Native Princes, which would present any real obstacle to the adoption of this measure. It is a step, however, which would not perhaps be taken by the British Parliament, if it were to be considered as securing to the countless population of India the rights of natural born British subjects. If the Legislature should not be satisfied by that exclusion from certain rights, to which all the unchristian natives would be subject as the law now stands, it might be necessary to enact, that the natives of the British territories in India shall not, by reason merely of their birthplace, be entitled, when resident within the United Kingdom, or any of the dominions of the United Kingdom other than the Indian territories, to any rights or privileges as subjects, beyond what would be allowed to the subjects of friendly foreign states, and that they should be distinguished by the name of Indian subjects of the Crown of the United Kingdom; with a proviso, that all persons born in India, whose father or paternal grandfather shall have been British subjects, and all other persons who according to law would be natural-born British subjects if born in any foreign state, shall equally be natural-born British subjects if born within the British territories in India. If such provisions would have the effect of depriving any classes of the Indian natives of rights to which they may at present be entitled as natural-born British subjects, the distinct acknowledgment of their being at least subjects and entitled to protection, and the foundation which would be laid by the provisions hereinafter mentioned for their enjoyment in a part of India of legal rights, would appear to us to be more than adequate compensation for anything which would be justly said to be taken away.

37. It is at this point that the difference of opinion to which we have already alluded

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as subsisting between us, must be noticed. Sir Edward Ryan thinks decidedly, that whatever ameliorations of the law and administration of justice are to be adopted, ought not to be limited, even at present, to what he considers to be so inconsiderable a portion of the territories annexed to this Presidency, but that it might be left to a Local Legislature to determine over what extent of territory any improved system might be established; and this opinion would apply equally to the admission of British persons to hold lands. In the whole of the preceding portions of this Letter, Sir Edward Ryan entirely concurs, and, with the exception above stated, he agrees in what follows; which, however, in consequence of that exception, must be expressed principally as the opinion of the other Judge, who recommends that a certain district around Calcutta, as the present seat of Government, should be formed into a separate province; and that for the government of this district only, there should be, to a considerable extent, a separation of the executive, judicial and legislative powers of government, by means of a Legislative Council, and a Court of Appeal or Council of Judicature being added for that purpose to the existing political body of the Governor-General in Council, within this province. All subjects of the Crown of the United Kingdom, as well British as Indian, without any distinction, might have the right of purchasing, holding and inheriting lands, and the laws throughout that district should be rendered as inviolable, and the administration of justice as regular, and the security of person and property as perfect as possible; and it is obvious that more would be possible for such a district, than either for the whole of India, or for a single town only like Calcutta. It is not meant that the English laws should be established, but that, subject to certain restrictions, a system should be adopted by the Legislative Council to the whole circumstances in which the province would be placed, and which system should secure more rights to the people, and should be more certain than any it is at present possible to give to the whole of India, which, taken altogether, constitutes a subject vast, various and unsettled, that it is scarce possible to frame any law, which, if really intended to be enforced, can be universally applicable, or which, if established to-day, may not be shown to-morrow to require modification. For such a province, the Delta of the Ganges, or the territory lying between the western or right bank of the Bhagheruttee and Hooghly River, and the eastern or left bank of the main stream of the Ganges, would be well situated and of a convenient size, and it has a peculiar advantage in a well-defined boundary; but any other portion of the adjoining country, of which the circumstances might be thought to require it, might even at present be included.

38. It might be declared, that the rest of the territories of this Presidency, although they be the dominions of the Crown, and the inhabitants be subjects thereof, yet by reason of their magnitude and great population, and the various customs and habits of the people, and the obscurity of the customary interests in land and other circumstances, they cannot for some time to come be adopted throughout their whole extent to an equally regular and fixed system of Government, and for these reasons the whole government of the same might be declared to be vested as before in the Governor-General in Council, subject to former restrictions and qualifications; and it might be provided that whenever persons should choose to abide in, traverse or enter the said territories, they should be liable to the laws and regulations in force there, and to the authority and powers

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powers of the Governor-General in Council, in like manner as any of the Indian subjects of the Crown would be, and that neither the Supreme Court nor any of the other Courts established or to be established within the provinces of Calcutta should have any jurisdiction whatsoever, or exercise any authority, powers or process whatever within any of the said territories, other than such as hereinafter are expressly and particularly mentioned; but that in all other cases whatsoever, when it should become necessary for giving effect to any decree, judgment or order of any of the said Courts, that the lands, goods or body of any person should be seized and taken upon any mesne or final process within the said territories, it should be done by such ways and means and in such manner and form, and according to such regulations as should be provided for that purpose by the Governor-General in Council. If British persons could be contented to inhabit the provinces upon these terms, they might be permitted to do so. The necessity of the case seems to require, as to the greater part of India, that the Governor-General and Council must have within themselves all legislative, judicial and executive powers, subject to no control but by the superior authorities in England, and it would be scarcely possible in the present state of things to make any laws or regulations for all India, which it might not become necessary the next day to disregard. But if the Parliament, clearly understanding and being prepared to adhere to this, should choose to put all the subjects of his Majesty, of whatsoever description in the provinces, upon an equal footing in relation to the law, there would not perhaps be any violent danger to the state to be apprehended, nor any oppression of the natives, which the Government might not be able, by a stern exercise of its power, to restrain. There are, however, two things which it does appear to be desirable to guard against in any general admission of British persons to the provinces: First, that of giving rise to a delusion that there are the means at present of establishing and enforcing throughout all India such an administration of law as that it might be profitable and advantageous to British persons, whether companies or individuals, to lay out money in landed estates and to engage in speculations throughout the provinces; this might be followed by great disappointment and discontent. Secondly, no opening nor pretence should be left for subsequent irritation and clamour, on the part of British persons, upon the grounds of their not enjoying the personal rights of English law. If the provinces are to be opened to them, let it be universally understood so, that no doubt may remain, nor any ground for subsequent reproach that they go to live under a despotic and imperfect but strong Government, that they carry with them no immunities or privileges but such as are enjoyed there by the natives themselves, and that it is impossible at present to give them either that security and easy enjoyment of landed property, or those ready remedies for private wrongs, or that independence of superiors which more readily constituted governments afford. A tolerable system of criminal judicature, we believe, might even at present be established throughout the greater part of India, and that at the principal stations Jury Courts might be established.

39. The Supreme Court, besides being restricted from exercising, within the territories lying beyond the boundaries of the province of Calcutta, any other jurisdiction than such as is hereinafter expressly mentioned, might likewise altogether cease to be a Court of original jurisdiction within that province, except in the cases hereinafter particularly mentioned, and the authority, powers and jurisdiction of the Court might henceforth be as

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follows: First, that within and throughout the provinces of Calcutta it should have a complete superintendence and control over all other Courts and Magistrates. Secondly, that no sentence of death by any other Courts of the province should be executed without the warrant of the Supreme Court, and that it should have an original and exclusive jurisdiction as to all those offences which, for distinction, are called offences against the State, and are of a treasonable or seditious nature, if committed within the province of Calcutta. Thirdly, that it should have an original jurisdiction as a Court of Chancery as to all conveyances or devises of land or gifts, or bequests of money for charitable or religious purposes, or other permanent public objects. Fourthly, that it should have an original Admiralty jurisdiction as to all crimes maritime punishable with death, and the King's Commission of Vice-Admiralty for the trial of prize causes should be directed to the Judges of the Court; but this perhaps could not be enacted by Parliament without touching the prerogative, and must be left to the pleasure of the Crown. Fifthly, that it should be a Court of Appeal from the Courts of the province of Calcutta. Sixthly, that it should have the powers of the present Supreme Court for the collection of evidence in India in criminal prosecutions before the Parliament or the Superior Courts in England, and for giving effect in India to the judgments of those tribunals. Seventhly, that it should be lawful for the Governor-General by commission to authorize and empower any one or more of the Judges of the Supreme Court of Appeal or Members of the Council of Judicature to exercise any judicial function, either original or upon appeal, or by way of inquiry, within the territories lying beyond the boundaries of the province of Calcutta, and respecting any matters arising within the same, whenever the importance and exigency of any case might require it.

40. That a Legislative Council should be established for the province of Calcutta. Our views as to the formation of such Council have been already stated in a communication made to the Governor-General in Council. We would only add here, that, consistently with the scheme presented in our present letter, the right of legislation of the Council would be restricted to the province of Calcutta, but that it might be employed for the other territories whenever the Governor-General in Council should think it expedient. If the additional charge upon the revenue would not be an objection, the Members of the Legislative Council might be entirely distinct persons from those of the Council of Judicature or Court of Appeal; and at all events, we should propose that the Governor-General should have the right of presiding in the Legislative Council, and that nothing should be enacted, even for the province of Calcutta, without his consent; nor should we see any decisive objection against his presiding also, by appointment of the Crown, in the Council of Judicature or Court of Appeal, whichever it might be called, if it should be thought that in this way a more perfect harmony of government would be secured. Each of these bodies might perhaps be advantageously constituted of two persons, appointed by the Crown, from England, and of one of the civil servants belonging to the existing Council, and of the Governor-General himself.

41. The first duty of the Legislative Council would be to constitute subordinate Courts of Justice for the province of Calcutta, and until this should be done the Supreme Court and Country Courts must continue to exercise their respective functions. Our opinions upon this point also, of a system of Courts adapted to India, has been expressed to the Government

Government at their request ; and we would only observe here, that for the province of Calcutta we conceive that below the Court of Appeal or Council of Judicature there ought to be one Provincial Court held at Calcutta, about four Zillah Courts, the town of Calcutta and its suburbs constituting of itself one Zillah, and an adequate number of Pergunnah Courts, each permanently established on a fixed spot, which either should be some existing village, or would naturally become the centre of a township. All persons without exception might be by law eligible as Judges and Officers of the Courts ; but in practice, one at least of the Judges of any Zillah Court ought at present to be a natural-born British subject, and in the Provincial Court all the Judges should be natural-born British subjects, and one of them should be an English barrister of some years standing. With the exception perhaps of that one person, and certainly of two of the Judges of a Court of Appeal or Members of a Council of Judicature, who ought to be appointed by the Crown, the other Judges of all the Courts within the province of Calcutta might be appointed by the Governor-General in Council. The appropriate functions of each of these Courts it would not be difficult to arrange.

42. The Governor-General and Council, as at present constituted, would retain within the province of Calcutta all their present powers, as far as they should be consistent with the new provisions ; and it ought to be declared, much more plainly than it has hitherto been, that throughout the other territories they have the exercise, by themselves or through the Company's servants, of all authority, executive, legislative and judicial, subject to the direction and control of the Court of Directors and Board of Commissioners, and to the supreme power of the Crown and the Imperial Parliament. The Governor-General in Council, however, should also have the discretionary right of calling in aid the Legislative Council or Court of Appeal, and referring to them any matters arising in any part of the territories, and of appointing, upon emergencies, the members of those bodies or any other persons Commissioners to act in and for any part of the territories.

43. The basis and essential part of this plan is, that the two sorts of law and government which it seems to be necessary to maintain in India, should respectively be confined to separate local limits, instead of clashing together within the same. We consider it a radical defect, that in India the laws are not local, as in most other countries, but personal, and we would make them local. We do not mean that the system to be established around the seat of government should be exclusively British, but one adapted to all the circumstances of the country, though in complete subordination to the Crown and Parliament. The plan, if happily executed, might afford to British persons, and to any other classes of the community who should set a value upon the protection of firm laws and a regular system of Courts, the opportunity of living under them ; on the other hand, it would secure the natives in the outer provinces from that annoyance which it is affirmed they have occasionally experienced from the process of the English law, and it would preclude all collision between the two sets of Courts and systems of law. In a great measure it would do away with any invidious distinctions in this country between the different classes of inhabitants. In the province of Calcutta, all without distinction would have the most important rights belonging to the inhabitants of a British settlement: in the other territories, all would be equally reduced to such as might be found

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consistent with the more despotic power, which necessity should require to be maintained there. This need not be at all more despotic than at present it is, as to those who constitute 99-100ths of the whole population: on the contrary, let it be mitigated as much as may be consistent with security; but let British persons who voluntarily place themselves under it be as much subject to it, and in the same manner, as the rest of the people with whom they mingle. Those who now, for the temporary purpose of trade, connect themselves with the cultivation of land in the interior, would continue to do so, whilst for those who should wish to settle for life in India, and to purchase durable and secure interests in land, the province of Calcutta would present a sufficient area for some years to come; and all who are acquainted with the country will acknowledge the general advantage which would result to the British inhabitants from the increase in number of places convenient for their residence even within that limited space. The province would not be so large as to make it an unreasonable expectation, that throughout that district, in which already there is every where a permanent settlement of the revenue, the Courts of Law and a Legislative Council together might be able first to ascertain, and in some degree fix, the nature of those customary interests in land, which are so great a difficulty in the way of making any property in it valuable or secure, and might provide some ready means of settling the disputes which will arise out of this sort of property as long as it subsists; and at the same time, some course might be opened by which, with the strictest regard to justice, and without any preference of the English to any other system of law, those inconvenient and barbarous forms of property, such as have at some time or other existed in almost every other country, might, as in other countries, be gradually resolved into more convenient, simple and definite ones, to the advantage of all parties. We wish it to be clearly understood, that it is not English law, but whatever law should be found best adapted to the country, that we should seek to establish, subject to certain specified exceptions and restrictions, preservative of the sovereignty of the Crown and authority of Parliament. The task of preparing, establishing and conducting of a firm system of law within the province of Calcutta, might afford as much occupation to those who now find employment in the Supreme Court, as they would lose by the alteration of its jurisdiction. The interests of religion, and the progress of education, would seem to us to be likely to be promoted by these arrangements, and the Legislative Council and Court of Appeal would constitute channels for the exercise of that control by the Crown and Parliament, within a part of India, over all legislation and administration of justice, which, if they are to remain British, must, in some way or other, be ultimately established throughout the whole territories, even though India should be made as distinct a portion of the British dominions as Ireland was before the Union, and gradually as the system should be perfected within its limited range, it might be extended to other provinces.

44. In these recommendations we beg leave to disclaim all feelings adverse to the East-India Company. Alterations heretofore have taken place in the constitution of the Company, and others no doubt will take place hereafter; but we do not foresee any circumstances in which it would not appear to us to be desirable that the main organ of government for India should be a body of Directors, resident in England, and elected by the holders of stock representing property in India, and depending mainly for its value upon

upon the prosperous condition of that country; and there is scarcely any imaginable case in which the existing Company must not almost necessarily constitute the basis of a government of that description. We regard with consideration and respect the position and interests of those by whom, under the Directors, India is for the most part actually and immediately governed. They and their connections form as it were a large family, which has claims on India, founded in a long expenditure upon it of all that is valuable in life. They only are qualified by information and experience to conduct by far the greater part of its affairs; and one of the principal points in all plans for the government ought to be the preservation of all their real interests, and the securing of their willing and cordial assistance.

45. If our suggestions should be thought deserving of further consideration, we shall be happy to enter into more complete details of what has been stated in this letter, in a very general and imperfect manner, or to communicate any information in our power respecting any other plan which may be thought preferable. We are strongly impressed, however, with the conviction that the trade with India being free, there must necessarily be a greater resort to Bengal of British persons, and a more numerous population imbued by them with British notions, than can be confined to Calcutta or its immediate neighbourhood, and that it is in the highest degree desirable to establish a uniform system of laws for all descriptions of persons in such portions of the territories, as will admit of its being easily done and firmly secured. Our opinions differ as to the extent to which this might at present be carried, and by one of us it is considered as a strong recommendation of the plan of confining the immediate change to one province, that, except as to the putting of British persons in the other territories on the same footing as the natives, it is in perfect accordance with the principles and basis of the existing arrangements. The creation of a province of Calcutta would be little more than an enlargement of the boundaries of the town; but by relieving the Supreme Court from the greater part of its original jurisdiction, and making it principally a controlling authority, and by providing on the spot an efficient legislative power, it might be hoped that a much better state of things would be established throughout the province than has ever subsisted within the town.

46. We communicated a short time ago to the Governor-General in Council a rough draft of this letter, together with other papers which had been called for in the course of a correspondence which has been going on for some time. The opinions of the Government are opposed to the plan of establishing, within any one district, a distinct system of law. Perhaps a further consideration and discussion of the subject will remove some misapprehensions on either side, and show that the views of no party are very dissimilar from the rest. At this time the town of Calcutta is under a law at least as different from the rest of the Presidency, as it has ever been intended that a province of Calcutta should be, no more inconvenience is to be apprehended from two different systems of law or government existing on the opposite banks of the Hooghly than that which at present exists, nor than that which is found to be very tolerable on those of the Rhine or the Maese. In practice it may be hoped that in this way there would be much less inconvenience than that which now is occasioned by the different systems being carried about from place to place, as appendant to the persons of the individuals of whom the several classes of the population are composed. If India indeed was an independent country,  
and



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and a completely new system of law was to be established in it, no reasonable person would think of putting different parts of the country under opposite systems of law. But the reason of one of the Judges for thinking that this should be done at present in Bengal in the manner above stated, are, first, that it has long been one main feature of the existing system ; secondly, that although it seems to have become necessary that British persons should be more freely admitted into the country, the time has not yet come when they may be placed throughout the whole country on the same footing as the natives ; and, thirdly, if some portion of the territories be not set apart as a connecting link and rivet with the United Kingdom, there may be some reason to apprehend that the whole legislative and judicial powers of Government would assume a discretionary character over which it would be impossible to exercise in Europe any efficient control. Instead of laws there might be merely a set of loose regulations, which, from the vastness and irregularity of their subject-matter, could not for many years, by any human efforts, be made universally applicable as fixed laws, so that neither could any subject insist upon the execution of them for his protection, nor could any controlling power in the United Kingdom say when they ought or ought not to be enforced ; whereas if a limited district were set apart, a system might be maintained within it as much subject to the control of the Crown and Parliament as any English colony is, and gradually what should have taken root there might be spread over larger circles.

We are, &c.

(Signed) CHAS. EDWD. GREY.  
EDWARD RYAN.

A true copy :

(Signed) J. THOMASON,  
Officiating Dep. Sec. to the Government. -

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LONDON :

PRINTED BY J. I. COX AND SON, GREAT QUEEN STREET,  
Lincoln's-Inn Fields















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